



## **The Trials of Cate McCall**

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FADE IN:

csA INT. CATE'S APARTMENT - DAY csA

A sparsely furnished apartment in gray morning light.

A legal file is open on the ruffled bed, pages marked up with yellow highlighter and sticky notes.

On the nightstand: A glass of water, a journal, a Big Blue Book, a Blackberry.

Cate McCall shifts beneath the blankets.

Her sad eyes reflect the gray window light.

csB INT. CATE'S APARTMENT, BATHROOM - DAY csB

Cate puts eyedrops in. Blinks away the saline.

She glances at a handwritten list on her mirror, slightly out of focus:

*wash face*

*brush teeth*

*pray*

csC INT. CATE'S APARTMENT - DAY csC

Cate stands in the kitchen with tea and juice reviewing a thick legal file. She highlights a line: *carotid artery completely severed.*

Cate glances at a bloody crime scene photo of a hideous gash on a young girl's neck.

csD EXT. CATE'S APARTMENT, BALCONY - DAY csD

Cate smokes, staring out at the gray city. She pulls smoke into her lungs like she needs the hit.

1 INT. CALIFORNIA WOMEN'S LEGAL AID OFFICE - DAY 1

A warren of glass partitioned cubicles in a busy, low-rent office. Cate waits in one of them, the thick legal file in front of her. She notices a white spot on her gray jacket, picks at it.

Finally, a FEMALE ADMINISTRATOR comes in and sits behind the desk. Cate pushes the thick file toward her.

CATE

I need another case. Preferably one I can *win*.

The administrator looks at Cate, impassive.

ADMINISTRATOR

Ms. McCall, your work with us is considered restitution. You don't get to pick and choose.

CATE

The one part of my life I haven't totally fucked up is my record in court. I'd like to keep it that way.

The administrator studies Cate, then picks up the file, holding it out to her.

CATE

It's a goddamn *habeas* case. I'm a civil defense attorney.

ADMINISTRATOR

It's essentially a civil action. I think you'll find the rules affecting pleadings and discovery familiar--

CATE

Oh, come on! You must have people who are better qualified--

ADMINISTRATOR

None of our lawyers have ever handled a *habeas*. I have a couple of books I can recommend--

CATE

You expect me to defend this girl from a book?

ADMINISTRATOR

We try to provide destitute women access to the very best counsel available. At the moment, the best counsel we can offer Lacey Stubbs is you.

The administrator pulls a document from a tray on her desk, clips it to the file.

ADMINISTRATOR

She was just moved from Valley State to CWCF.

CATE

What's a matter? She didn't like the view?

ADMINISTRATOR

She was moved after being raped by a guard. Repeatedly.

Cate's smirk twists back into a frown. The administrator holds out the file to Cate.

CATE

So you're saying I can't refuse.

ADMINISTRATOR

Of course you can.

(pause)

And I can refuse to recommend that you be taken off probation.

2 INT. AIRPORT - DAY

2

Cate waits with HENRY BRIDGES, 67, longish grey hair, elegant frame, leaning on a cane at the check-in counter.

CATE

When the cops first arrest her, she says, yeah, she and her friend went to the victim's house with a rope and a butcher knife, but only to frighten her. But, things got a little out of hand and *whoops!* They *accidentally* slit the girl's throat.

BRIDGES

Hate when that happens.

CATE

Later, she changes her story and says her *boyfriend* did it.

Cate shows Bridges a photo on her phone: LACEY STUBBS, a pregnant, bleached-blond goth-goddess in a hooded black velvet gown, flanked by uniformed police, waves to the crowd.

BRIDGES

She likes to play dress up.

CATE

She's a fucking freak-show.  
The D.A.'s got the friend saying  
Lacey did it, the *boyfriend* saying  
Lacey did it, even the *victim*  
saying "Lacey did it" to her  
mother just before she dies.

BRIDGES

The mind is like a parachute--

CATE

It's a *loser*, goddammit.

Bridges smiles as he hands his ticket and ID to the MALE CLERK.

CLERK

Checking any bags today?

BRIDGES

Just one.

He hoists an enormous backpack onto the scale.

BRIDGES

I used those handy little  
compression baggies to squeeze my  
undies. Very economical.

The clerk smiles. Cate snatches his pack of American Spirits, pulls out a cig.

CATE

Yeah, what do you care.

Bridges turns to Cate, takes her in.

BRIDGES

You're doing great. You really  
are.

Cate frowns, an unlit cigarette dangling from her lips.

\*

CATE

I feel like shit.

Bridges hugs Cate.

BRIDGES

Feelings aren't facts.

She hangs on a little too tight.

Bridges pulls back and looks her in the eye.

BRIDGES  
Call me. Every day.

Cate nods, more than a hint of desperation.

3 EXT. FREEWAY - DAY 3

Cate's car drives through the desert, passing a sign for Central California Women's Facility.

4 OMIT. 4

4A INT. CWCF, RAMP - DAY 4A

Cate follows a guard down a ramp, chain link looming overhead.

4B INT. CWCF, CORRIDOR - DAY 4B

Cate is led past windows overlooking rows and rows of cells.

5 INT. CWCF, CELLBLOCK/LACEY'S CELL - CONTINUOUS 5

Cate is led into Lacey's cellblock. She sits on a bench outside a cell. The guard stands at the door.

Inside the cell sits LACEY STUBBS, 26, lank brown hair hanging around a face devoid of make-up and dominated by gentle, wide-set eyes.

CATE  
Do you understand what a habeas petition is?

LACEY  
I... *think* so... After you lose all your appeals you--

CATE

Essentially, you're telling a federal judge that you believe your imprisonment is unconstitutional because the state court that convicted you made a legal or factual error.

LACEY

I've been keeping a list of all the mistakes--

CATE

About twenty thousand habeas petitions are filed every year. Any idea how many hearings are granted?

LACEY

No.

CATE

Less than one per cent. See, nobody cares that your attorney nodded off a few times in court. You need to persuade the judge that there was significant trial error *in key areas of evidence*--

LACEY

I didn't kill Jen.

Lacey's clear gaze is direct and disarming.

CATE

Whether you're guilty or innocent is beside the point.

LACEY

I was really, really mean to her... She went out with my boyfriend when I was *pregnant*.

Lacey's knee starts to bounce.

LACEY

I screamed at her. I said terrible things...  
(struggling)  
But I didn't kill her.

CATE

Then why did you tell the cops that you did?

LACEY

I didn't want to send my baby's daddy to the gas chamber. Then, later, when I found out he lied to me about *everything*, including ever loving me, or the baby, I told the cops the truth.

CATE

Which is?

LACEY

Me and Dorrie went over there just to scare her. But then Dorrie just lost it. She got, like, I don't know. She was screaming in Jen's face, and then she pushed her really hard, and Jen hit her head. I tried to pull Dorrie away, but she was just *gone*. She was straddling her and hacking off her hair with the butcher knife...

Lacey winces at the memory, tears in her eyes.

LACEY

And there was all this blood... And I just *freaked*. I ran outside and told Rusty and he said he'd take care of it. Then after a few minutes, he and Dorrie come running out, and they're just like, "Get in the fuckin car!"

CATE

So Rusty killed her.

Lacey nods, grim.

CATE

Why would he do that?

Lacey's face clouds. She bites a fingernail.

LACEY

She was telling everybody he raped her. He was afraid she was gonna press charges.

CATE

Was it true?

LACEY

That he raped her?

(laughs)

(MORE)



LACEY (CONT'D)

Knowing Rusty. He raped me on our second date.

Lacey's laugh fades along with her smile.

CATE

So why did Dorrie tell police it was you?

LACEY

Because I told her to. We were all at Rusty's trailer. He said he'd get the death penalty, but that they'd go lighter on a girl.

Cate studies her. Lacey doesn't flinch from the challenge of her gaze.

CATE

Unfortunately, when you change your story, whatever your reasons--

LACEY

You look at me like I'm *shit*. I'm not *shit*. Maybe I didn't do everything right, and go to college, and have a perfect life like you. But I got a kid who I'm not raising because my shitty lawyer let the D.A. fuck me over and give me life without parole when I wasn't even *there*.

Cate's expression softens the tiniest bit.

CATE

I'll look at your list.

6 INT. CHURCH MEETING ROOM - NIGHT

6

Cate slips into the back of a crowded meeting as a female AA MEMBER addresses the group.

AA MEMBER

I'm having a really hard time surrendering. I've been, you know, pretending to give up control, but I still want what I want. I want certain outcomes, you know? So I've been bargaining. And I have a job where I'm expected to be the boss.

Cate's cell vibrates. She pulls it out and looks.

AA MEMBER (O.S.)  
And I just always feel like I'm  
not doing enough. Like I'm  
letting everybody down and I'm  
just carrying around all this  
shame...

Cate stares at the text message:

*Wilson George: boo.*

7 INT. CATE'S APARTMENT - NIGHT 7

Cate drops her briefcase and stands motionless in the  
darkness.

After a moment, she puts her keys on the counter. She walks  
down the hall, flicking on a light.

8 INT. CATE'S APARTMENT, DINING ROOM - NIGHT 8

Cate eats dinner alone facing the wall. She stares at a  
water-stained postcard featuring a huge lemon:

*"When life hands you lemons..."*

Her cell phone rings.

9 INT. CATE'S BEDROOM - NIGHT 9

Cate lies in bed, cell to her ear. Two suitcases lie open on  
the closet floor.

BRIDGES (O.S.)  
(over phone)  
So how was Lady Gaga? She flash  
you her tongue stud?

CATE  
She accused me of being perfect.

Bridges laughs.

CATE  
Nice to know I can still fool  
somebody.

Cate glances at a photo on a makeshift night-stand:

A younger, happier Cate nuzzling a year old baby.

Cate sighs, turns toward an empty wall.

BRIDGES (O.S.)  
(over phone)  
You okay?

CATE  
I got a text from Wilson George.  
(pause)  
Maybe I should just call him.  
He's on my list.

BRIDGES  
The idea isn't to endanger  
yourself. Why don't you change  
your number.

10 INT. CWCF, VISITATION PHONES - DAY

10

Cate sits across from Lacey, an audio recorder propped on the partition between them.

CATE  
They've got Rusty's testimony,  
they've got Dorrie's testimony,  
and they've got the victim's grief-  
stricken mother standing up there  
saying her dying daughter's last  
words were "*Lacey did it.*" That's  
not good.

LACEY  
But it's a lie.

Cate shoots Lacey a look.

LACEY  
My lawyer talked to this medical  
examiner guy who said there was no  
way Jen could have said I did it.  
Because her throat was sliced  
through.

Cate searches through her papers.

CATE  
Ennis? I read his testimony.  
That's not what he said in  
court...

LACEY  
I know. But that's what he told  
my lawyer. He said there was no  
way she could say anything.

Cate looks up, intrigued.

11 INT. ENNIS PATHOLOGY CONSULTANTS OFFICE - DAY 11

Cate pushes through a door which reads: *ENNIS PATHOLOGY CONSULTANTS, INC.*

She walks past an empty receptionist's desk to a dim, inner office where a WHITE-HAIRED MAN, 60's, eats lunch as he examines slides on a light table.

CATE  
Dr. Ennis?

The man looks up, takes a straw from his mouth.

CATE  
You do consulting work on trials?

ENNIS  
That's right.

CATE  
So I could hire you to give testimony?

ENNIS  
Well, we consult primarily with law enforcement. Police. D.A.'s office, mainly.

CATE  
And they keep you busy enough?

ENNIS  
(smiles)  
Oh, they keep us real busy. I'd say ninety-nine-point-nine per cent of my work is with law enforcement.

CATE  
So you wouldn't change your opinion just because somebody called you up and asked you to? Like maybe one of the D.A.s who gives you all that business?

ENNIS  
(smile fading)  
No, I would not.

CATE  
But you told Lacey Stubbs' lawyer that Jennifer Cole *couldn't* have spoken, then in court you changed your mind and said:  
(reads from court papers)  
(MORE)

CATE (CONT'D)

"She could have spoken in a somewhat slurred, less intelligible manner". That sounds like a pretty big change, don't you think?

Ennis flicks his straw into the trash, stands.

CATE

Says the D.A. admitted to calling you. And when the judge asked you if you felt "threatened or intimidated" you said no.

ENNIS

That's right.

CATE

Even though ninety-nine-point-nine per cent of your business was at stake?

ENNIS

You need to leave.

12 INT. CATE'S CAR (MOVING) - DAY

12

As Cate drives, Bridges, sunburned from his trip, rummages in his backpack, pulling out snacks, cigarettes, a Keep Austin Weird mug.

BRIDGES

So they tampered with him.

CATE

Sure as hell looks like it.  
(edgy)

This isn't a simple appeal. I need to re-investigate the damn case.

Cate snatches Bridges' cigarettes off the dashboard, takes one from the pack.

CATE

The budget they've given me is a joke. I don't have a big-money firm backing me here, no in-house P.I., no team of paralegals. I don't even have an office--

BRIDGES

There he is.

Bridges pulls out a small Buddha on a spring and affixes it to Cate's dashboard.

BRIDGES

Doesn't that just scream serenity?

CATE

(barely a look)

Criminal defense is *your* world.

Bridges gives the Buddha a little flick so it bobs back and forth.

CATE

You're not going to answer me?

BRIDGES

There a question in there someplace?

CATE

I need to find out what rock Rusty Burkhardt crawled under after serving his whopping three months.

BRIDGES

Three months? For accessory to murder?

CATE

"Hindering apprehension". The D.A. cut him a sweetheart deal in exchange for testifying against Lacey.

(pause)

I also need to talk to Dorrie Boothe.

BRIDGES

Are you asking me for help?

CATE

Like you're so busy.

BRIDGES

(shakes his head)

What do I get?

CATE

My undying love and continued esteem.

BRIDGES

Ho-hum.

CATE  
Fine, I'll blow you.

BRIDGES  
(grins)  
Now we're talkin'.

Cate smiles.

13 INT. JOSH'S HOUSE, LIVING ROOM - DAY

13

Cate, still in business clothes, squats with red-haired AUGIE, 4 in a beautifully appointed room overtaken by toys. Augie piles small objects into a metal lunch box.

CATE  
Getting everything organized?

AUGIE  
I'm packing.

Augie keeps stuffing toys into the overflowing box.

CATE  
Are you taking a trip?

AUGIE  
Mm-hm.

CATE  
Can I come, too?

Cate reaches out to smooth a lock of Augie's messy hair, but Augie evades her touch.

AUGIE  
Just me and daddy and Blue Dog.  
(pause)  
I'm gonna have a rainbow room.  
And a fish.

CATE  
That sounds nice.  
(trying to connect)  
I have your rainbow lion up on my  
wall. I look at it every day.

AUGIE  
We have to take a plane.

CATE  
You do? To your rainbow room?

AUGIE  
For daddy's new job.

Cate stares at Augie, color draining from her face.

CATE  
Daddy has a new job?

AUGIE  
Mm-hm. In Seattle.

14 EXT. JOSH'S HOUSE, DINING ROOM - DAY 14

Augie is still visible through glass doors, as Cate and her estranged husband, JOSH, 45 argue in the next room.

JOSH  
You never see her anyway.

CATE  
I see her--

JOSH  
You're either off having a mental breakdown, or you're too busy *working*.

CATE  
Well, one of us has to earn some money! Nice to hear that after three years you finally decided to get a job.

Josh turns, heading back. Cate grabs his arm.

CATE  
I'm sorry. I'm sorry.  
(pause)  
I know I fucked up. But you can't do this... You can't just take her to another state. I'm her *mom*.

JOSH  
You'll always be her mom, Cate. I'm just not gonna let you keep hurting her.

15 INT. LAW OFFICE - DAY 15

Cate sits across from FERN, her buttoned-up custody lawyer.

FERN  
While you were in rehab, Josh had defacto sole custody.  
(sighs)  
(MORE)



FERN (CONT'D)  
We're working against a mountain  
of unpleasant evidence.

CATE  
I've been going to meetings. I'm  
working this pro-bono case so I  
can get off probation. I'm  
completely fucking sober except  
for a cigarette now and then--

FERN  
Are you seeing Augie?

CATE  
I'd be seeing a lot more of her if  
I had any kind of help. This case  
I'm working on is a--

FERN  
Spend time with your kid, Cate.  
We need to make you a presence in  
her life again.

16 INT. CATE'S APARTMENT - NIGHT 16

Cate, Blackberry to her ear, paces amid transcripts, legal  
pad, files, and open PC.

CATE  
(on phone)  
I mean, come on! I supported him  
for years while he was trying to  
get *this* project launched and *that*  
new video game built.

A buzzer blares.

CATE  
Shit--  
(moving to the intercom)  
Who is it?

BRIDGES (O.S.)  
(over intercom)  
Rumplestilskin.

Cate presses the open button.

CATE  
(on phone)  
Sorry. I just... Oh. So I  
support him, and now I'm the  
deadbeat? It's just... *wrong*.  
(MORE)

CATE (CONT'D)

And I guess I'm just hoping you guys could talk some sense into him...

Bridges opens the door, walks in with a huge leather satchel and a shopping bag.

BRIDGES

Missed you tonight.

Cate waves Bridges off.

CATE

(on phone)

Anyway. Sorry for the tirade.

Bridges heads for the kitchen.

CATE

(on phone)

I love you both. Hopefully we can talk soon.

Cate ends the call. She pulls a half-smoked cigarette from the depths of her purse.

CATE

Josh's parents won't even pick up. I'm ranting on their goddamn machine...

BRIDGES

(from the kitchen)

A meeting is like a raffle. You must be present to win.

CATE

Seriously? Are you trying to make me jump out the fucking window?

BRIDGES

Did you eat?

CATE

Yogurt. It made me feel so much better.

Cate takes a long calming drag. Bridges ladles soup from a container into a bowl. He puts the bowl into the microwave.

BRIDGES

One of my sponsees made me some soup--

CATE

Seriously, did you just come over here to guilt trip me?

BRIDGES

No, I came to enable you.

Bridges picks up his satchel.

CATE

Hit me, baby.

BRIDGES

(consults his notes)

Both Dorrie and Rusty are still guests of the state. Dorrie doesn't want to talk, but Rusty's willing. For a small fee.

CATE

Rusty's still in jail?

The microwave dings.

BRIDGES

Apparently, he and the D.A. are no longer sweethearts.

17

INT. MEN'S MAXIMUM CORRECTIONAL FACILITY - DAY

17

Cate sits on one side of a bulletproof glass opposite RUSTY BURKHARDT, 29, mullet, pierced ears, tattoos.

CATE

Lacey and Dorrie don't agree on much, but they both said you drove them to the condo.

RUSTY

Yeah, I dropped 'em off.

CATE

Lacey says when she came out and told you what was going on, you ran inside to take care of it.

RUSTY

Lacey's a fuckin liar.

CATE

Is it a lie that you raped her on your second date?

RUSTY

She told you that?

(laughs)

What can I say? The bitch likes it rough.

CATE

Did Jen Cole like it rough, too? When you sodomized her in the back of your van? I suppose that wasn't rape either.

RUSTY

That was a pity fuck.

Cate regards Rusty with a growing disgust.

CATE

So what happened to the deal you cut with the DA?

RUSTY

I don't know. Ask them.

Cate pulls out a typed report.

CATE

I did. They say they yanked your deal because you lied under oath at Lacey's trial. About a list of questions Lacey slipped to you when you were both in County. Questions which you were good enough to answer in writing.

Rusty just glares at her.

CATE

(reading)

Question: "If I cover up that YOU helped Dorrie kill Jennifer do you promise to love me forever and never beat my face again?" Your written answer: "I promise."

RUSTY

She changed the questions.

CATE

That's what you said under oath, but the DA knew it wasn't true because their own expert found that the handwriting was yours and Lacey's, with no changes, erasures, or alterations.

Rusty regards Cate with cold, cruel eyes.

RUSTY

I don't care what the experts say.  
Lacey's a fucking liar.

CATE

Oh, *she's* a liar?

18 INT. CWCF, VISITORS AREA (DAY ROOM)- DAY 18

Cate sits with a worried-looking Lacey.

CATE

The problem is I can't get the  
discovery I need to prove we  
*deserve* a hearing until after the  
judge grants one.

LACEY

What's discovery?

CATE

Witness statements, police  
reports, evidence, interviews--

LACEY

So if they found an earring in  
Jen's condo... with blood on it...  
(pause)  
Would they have to give it to you?

Cate stares at Lacey.

CATE

The cops found an earring with Jen  
Cole's blood on it?

Lacey nods.

CATE

(sinking feeling)  
Was it yours?

LACEY

No it was Rusty's. But they kept  
it out of the evidence.

Cate absorbs this.

LACEY

My lawyer said it wouldn't help me  
anyway because Rusty told the cops  
the earring was mine. But that  
never made sense to me.

(MORE)

LACEY (CONT'D)

(pause)

If the cops really thought they found *my* earring with Jen Cole's blood on it, why didn't they use it against me?

CATE

That's a good question.

Lacey bites her nails, looks Cate in the eye.

LACEY

I just want to know... All bullshit aside. Do I have a shot?

Cate meets Lacey's anguished eyes.

CATE

Probably not.

19 INT. THE LIVING ROOM - DAY

19

Coffee bar. Pool table. Booths. Couches. Cate types on her laptop, her work spread across two tables. Bridges reads a legal document.

CATE

So we got witness tampering--

BRIDGES

Hard to prove.

CATE

Perjured testimony...

BRIDGES

That's your best play. The fact that the D.A. knew at least half of Rusty's testimony was a hot steaming pile of doggy doo--

CATE

And they didn't bother to go back and inform the court--

BRIDGES

That's not nothin'. Let's just hope this Judge...

(glancing at a document)

...*Sumpter* fellow agrees.

CATE

*Jamison* Sumpter?

Cate grabs the document and looks it over.

BRIDGES

Friend of yours?

CATE

He was one of my law school profs.  
Huge victims' rights guy.

BRIDGES

That's not good.

CATE

And a really bad kisser.

Bridges raises an eyebrow. Cate meets his eyes. *Guilty as charged.*

CATE

He really liked his students.  
Particularly the female ones.

BRIDGES

Well, darlin'... Everything in  
the arsenal.

20

INT. JUSTICE SUMPTER'S COURT - DAY

20

At the defense table, Cate anxiously pulls at a thread hanging from her jacket as she watches JUSTICE SUMPTER, 59, review the case file.

JUSTICE SUMPTER

Mr. Barker, you ought to be in a  
good mood this morning.

Sumpter peers over his glasses to ASST. D.A. BARKER. Barker grins, holding up his tie.

BARKER

I'd like to point out to the court  
my celebratory cardinal and gold.

JUSTICE SUMPTER

By the skin of their teeth, Mr.  
Barker.

Barker smiles.

JUSTICE SUMPTER

You a football fan, Ms. McCall?

Sumpter looks over at Cate.

CATE

No, your honor.

JUSTICE SUMPTER  
(looking closer)  
Do I know you?

CATE  
I was in your Victims' Rights  
Seminar at UCLA.

JUSTICE SUMPTER  
Did you learn a few things?

CATE  
More than a few.

JUSTICE SUMPTER  
Glad to hear it. Mr. Barker,  
apparently I was Ms. McCall's law  
professor. Do you have a problem  
with that?

BARKER  
No, sir.

JUSTICE SUMPTER  
Ms. McCall, do you have a problem  
with my sitting on the bench in  
this case?

Sumpter is looking directly at Cate, the tiniest hint of a  
smile behind his eyes.

CATE  
As I recall, you passed me, sir.

JUSTICE SUMPTER  
I'll take that as a no.

Cate smiles. He's flirting with her.

JUSTICE SUMPTER  
Well, Ms. McCall, your petition  
raises sufficient reason to wonder  
at the quality of justice  
administered in Ms. Stubbs' trial.

Sumpter shuffles some papers.

JUSTICE SUMPTER  
I'm going to grant your request  
for unlimited discovery.



BARKER

Your honor, I'm concerned that without limits, the discovery process could become unreasonably burdensome. I've got seventeen banker's boxes in my office alone--

JUSTICE SUMPTER

Mr. Barker, Ms. McCall can't very well get to the bottom of whether or not this case was prosecuted in a manner befitting the great state of California unless she has all the facts and evidence before her, now can she? Hearing is set for... five weeks from today.

21 OMIT

21

22 INT. BRIDGES OFFICE - DAY

22

Papers and files everywhere, along with several meals' worth of carry-out containers. Cate and Bridges sift through the contents of file boxes.

CATE

We got coupons for Dunkin' Donuts. Dry cleaning receipts... They're trying to bury us under an avalanche of crap.

BRIDGES

Wanna hear your horoscope for June 16th, 2006?

CATE

Phone leads on seven other cases, expired lottery tickets...

BRIDGES

(reading)

"You will be on a learning curve as your horizons are broadened..."

CATE

Memo says detectives took a statement from a neighbor named Cece Clayman. Day of.

BRIDGES

(checks)

She's not on the list.

Cate puts the memo into a folder marked: *TO INVESTIGATE*.

She glances at the clock on her phone.

CATE  
Shit. I gotta go.  
(checks herself)  
Do I look like a good mom?

BRIDGES  
May I share my experience,  
strength, and hope?

CATE  
Add an apron?

BRIDGES  
It's best to avoid telling the guy  
to go fuck himself and the high  
horse he rode in on, and that even  
ten miles high and three sheets to  
the wind, you're a better goddamn  
parent than he'd ever be.  
Sympathetic as these court-  
appointed shrinks pretend to be,  
they tend not to look very  
favorably on that sort of thing.

CATE  
That your experience?

BRIDGES  
I'm afraid it is.

Cate regards Bridges as he looks away, lost in thought.

CATE  
I'll keep that in mind.

23 OMIT 23

24 INT. PSYCHOLOGIST'S OFFICE - DAY 24

Cate fidgets as DR. WEISS, 50's, female, reviews her file.

DR. WEISS  
Had you ever been treated for  
alcohol addiction or depression  
prior to your time at Clearhaven?

CATE  
No.

\*

DR. WEISS

Do you want to tell me what happened?

CATE

Do I *want* to?

Dr. Weiss looks at Cate with compassion.

CATE

Um... I was working in the D.A.'s office. This was like twelve years ago. Um... And I was assigned-- It was a rape-murder of a six year old girl, and... At that point I'd seen lots of disgusting, hideous things, but this one... This was just, you know... *Beyond*.

(pause)

And so... I *wanted* this guy. I... made it my *mission* to put this guy away.

(sighs)

When I, you know, got the *conviction*, I felt *great*. And when the jury sentenced him to die... I, uh, I felt really *great*. Like I'd done something *good*.

Cate looks toward the window.

CATE

And so for a long time-- He was on death row for eleven years-- I didn't even think about him, except to feel glad that he would never hurt anyone ever again.

(pause)

Then... I was deep into another case--I'd left the prosecutor's office a few years before-- I was doing corporate defense. And, so... I was up to my eyeballs in this huge case when I got a call.

(pause)

They had tested semen samples taken from the girl's socks. I guess technology had advanced and they were now able to determine that, based on this new DNA evidence... That it wasn't actually Wilson George.

(MORE)

CATE (CONT'D)

He was innocent.

(pause)

(MORE)

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CATE (CONT'D)

After that, all kinds of things came to light. Turned out my forensics expert was a crappy scientist. My eyewitness was just wrong. And the *real* killer was already in jail serving time for another murder. He gave a full confession.

DR. WEISS

Wow.

CATE

Yeah. Suddenly everything I thought I knew, everything I believed was just... *wrong*.

DR. WEISS

And so the drinking...?

Cate picks at a hangnail, shaking her head.

CATE

I was having a hard time sleeping...

Cate watches Dr. Weiss scribble in her pad.

CATE

Josh and I... weren't doing well. I was billing eighty hour weeks and then coming home to just... these horrific fights. I got... it was a bad time. I'd have a few drinks to knock myself out. After a while that didn't kill it so I added pain meds.

DR. WEISS

Your husband mentioned you were suspended by the bar...

CATE

I wasn't suspended.

DR. WEISS

Oh. Okay. He had mentioned something--

CATE

No, I was... put on probation. I was in the process of moving out.

(MORE)

CATE (CONT'D)

We'd been up half the night fighting, and then Augie-- She was having night terrors at the time-- She woke up screaming that she was going to die. She was totally inconsolable. The only thing that helped was rocking her-- I fell asleep in her room. I was late to court the next morning. The judge chastised me. And I just lost it. I don't even know what I said. He ordered a breathalyzer test... They put me on probation. My firm fired me. That was pretty much rock bottom.

Pause.

DR. WEISS

It must have been difficult for you to tell me all that.

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CATE  
Will it get me my daughter back?

Dr. Weiss smiles.

DR. WEISS  
Let's keep talking.

25 INT. BRIDGES OFFICE - NIGHT

25

Cate comes in, sets down her keys. Bridges, hunkered over a micro-cassette player, stabs a butt into an overflowing ashtray as he listens.

BRIDGES VOICE  
You hear what he said?

CATE  
Play it again?

Bridges rewinds, plays.

*DETECTIVE'S VOICE (O.S.)*  
(on tape)  
*Do you recognize this?*

*RUSTY'S VOICE (O.S.)*  
(on tape)  
*Yeah.*

CATE  
(to Bridges)  
Rusty?

Bridges nods, turns up the volume. Motions for Cate to listen.

*RUSTY'S VOICE (O.S.)*  
(on tape)  
*It's my earring.*

Cate looks at Bridges.

On tape, someone laughs. There's a click and a glitch, as though the pause button had been used.

*DETECTIVE'S VOICE (O.S.)*  
(on tape)  
*Whose earring is it?*

*RUSTY'S VOICE (O.S.)*  
(on tape)  
*Lacey said she liked it. So I gave it to her.*

Cate's eyebrows go up.

DETECTIVE'S VOICE (O.S.)  
(on tape)  
*When was this?*

RUSTY'S VOICE (O.S.)  
(on tape)  
*Before I lost it.*

More laughter from the cops.

BRIDGES  
(shaking her head)  
They're coaching him.

CATE  
And he *still* can't get it right.

26 INT. CWCF, DAY ROOM - DAY 26

Cate sits across from Lacey, studying her.

CATE  
Do you have any idea why the cops  
would want to protect Rusty?

Lacey bites her nails, her brow deeply furrowed. She shrugs.

LACEY  
They hung out sometimes.

CATE  
They were *friends*?

LACEY  
Welch and Rusty played poker  
together a few times. And paint  
ball.

Lacey sucks her bloody cuticle, then keeps biting.

LACEY  
But maybe it wasn't so much they  
were protecting Rusty... as they  
were hurting me.

Cate watches Lacey closely.

CATE  
Why would they want to hurt you?

Lacey shrugs again, shifts in her chair.



CATE

If your story doesn't make sense,  
we're going to lose, do you  
understand that?

Lacey frowns, upset. Cate tries to find her eyes.

CATE

Why would the cops want to hurt  
you, Lacey?

LACEY

(too quiet)  
I don't know.

27

INT. POLICE STATION CONFERENCE ROOM - DAY

27

Cate questions DETECTIVE WELCH, 42, who looks over an  
evidence list, his LAWYER beside him. A COURT RECORDER takes  
notes.

CATE

How about number 48. Can you make  
out what that says?

WELCH

It looks like "earring".

CATE

Any idea what "earring" that might  
refer to?

Welch sets the list aside.

WELCH

If I recall, it was a CZ stud  
belonging to Lacey Stubbs that was  
found in the Cole residence. And  
I believe there was blood on it.

CATE

Rusty Burkhardt had a pierced ear.  
Isn't it possible that the earring  
belonged to him?

WELCH

I believe I asked Rusty and he  
stated that he had given it to  
Miss Stubbs.

Welch shifts. He looks Cate in the eye with a hint of  
disdain.

CATE

If you had Lacey Stubbs' earring with Jen Cole's blood on it, why wasn't it admitted into evidence at the trial?

WELCH

It got lost.

CATE

(incredulous)  
It got lost?

WELCH

Right.

Cate studies Welch. He cocks his head and waits.

CATE

Detective Welch, prior to Jen Cole's murder, did you know Rusty Burkhardt socially?

WELCH

I'd seen him around.

CATE

Ever play poker with him?

WELCH

Maybe. I don't know. Lotsa guys would play.

CATE

Did you ever play paint ball with Mr. Burkhardt?

WELCH

I don't remember. Maybe.

CATE

What about Lacey?

WELCH

(defensive)  
What about her?

CATE

You ever see her socially?

WELCH

(a laugh)  
No.

CATE

She wasn't around when you were playing poker with Rusty?

Pause.

WELCH

I have no idea.

CATE

You think you'd remember if she had been? I mean she's an attractive girl, right?

(pause)

Someone a man might notice?

Welch turns to his lawyer.

WELCH

This is bullshit.

Welch's lawyer gestures for Welch to chill.

Cate stares Welch down.

CATE

You and Lacey ever *date*?

WELCH

I'm married.

CATE

Is that a no?

WELCH

(glaring)

I don't know what the fuck you're trying to do here, but I never did a fuckin thing to Lacey Stubbs.

CATE

I didn't say you did. I just asked if you dated her--

WELCH

I never *spoke* to her, I never *looked* at her, I never laid a fuckin *hand* on her until I arrested her--

Welch turns to his lawyer, red-faced.

WELCH

I'm fuckin *done*.

Welch pushes up from the table, angrily buttoning his jacket.

WELCH'S LAWYER  
(to Cate)  
We need to take a break.

Cate watches with interest as Welch's lawyer puts a calming hand on Welch's back.

Cate checks her watch. *She's late.*

CATE  
That's fine. That's all I have.

She gathers her things. The court reporter starts packing up.

Welch pushes past his lawyer and turns on Cate.

WELCH  
You tell that cunt she starts talking shit about me again, she's gonna fuckin regret it.

Welch flings his chair aside, and heads for the door.

Cate and the court reporter exchange a look.

28 INT./EXT. CATE'S CAR (MOVING) - NIGHT 28

Rain pounds the windshield as Cate drives, talking on her cell.

CATE  
Lacey, I need to know what happened between you and Detective Welch.

Silence.

CATE  
Lacey--

LACEY (O.S.)  
(over phone)  
I can't...  
(voice breaking)  
They said they'd hurt my baby...  
(crying)  
Who told you? Was it Perry?  
(pause)  
Fuck... I gotta go--

The line goes dead.

Cate hesitates, then speed dials Bridges.

BRIDGES (O.S.)  
(over phone)  
What's shakin?.

CATE  
Do we have a *Perry*, maybe on a  
witness list--

BRIDGES (O.S.)  
(over phone)  
Oh, I'm just dandy, how are you?

CATE  
Can you just check--

BAM! Cate's car gets slammed from the side. She fights to maintain control as her car careens across several lanes, goes down an embankment, and crashes into a guard rail.

29 OMIT 29

30 EXT. HIGHWAY - NIGHT 30

Pummelling rain. Cop cars, lights flashing.  
A tow truck hitches up Cate's smashed car.

31 INT./EXT. AMBULANCE - NIGHT 31

Cate watches, on the phone, as a paramedic tends to a cut on her mouth.

CATE  
(to the paramedic)  
I'm okay. I really need to go--

A uniformed OFFICER approaches.

OFFICER  
Ma'am, would you mind coming with me?

Cate sees the breathalyzer in his hand.

CATE  
I wasn't drunk. Somebody *hit* me.

OFFICER  
It's just routine.

Cate steps out into the drenching rain.

32 INT. PSYCHOLOGIST'S OFFICE - NIGHT 32

Cate enters the room, soaked and disheveled. Josh, Augie, and Dr. Weiss all look over.

CATE  
I'm so sorry I'm late.  
(to Josh)  
I called your cell--

DR. WEISS  
Are you okay?

CATE  
I just had an accident. Somebody  
ran me off the road. But I'm  
fine.

Cate moves to give Augie a kiss, but Augie ducks away.

CATE  
I had to file a police report.  
Then the paramedics wanted me to  
go to the hospital...

Cate takes a seat beside Josh.

DR. WEISS  
Okay, well... We can just  
schedule another session.

CATE  
No, I'm okay. I'm here. Let's  
just do it.

DR. WEISS  
I'm afraid I have another  
appointment.

Cate blinks, looking like she's about to cry.

33 INT. JOSH'S CAR - NIGHT 33

Josh drives. Cate stares out the window.

JOSH  
Were you drunk?

CATE  
Somebody just knocked me into the  
fucking guard rail! I could have  
*died.*

In the back seat, Augie makes a high pitched WAIL.

CATE

(turning)

It's okay, sweetie. Mama's  
okay... Mama and Daddy just get  
angry sometimes...

Augie wails louder.

Cate turns back, closing her eyes, unable to deal.

Josh shoots Cate a withering look, then starts singing loudly  
for Augie:

JOSH

Row, row, row your boat, gently  
down the stream... Merrily,  
merrily, merrily, merrily, life is  
but a dream...

33A EXT./INT. GOOD LUCK BAR - NIGHT

33A

Cate pushes her way through the crowded room, makes her way  
toward the bar.

She stands at the bar, uneasy. Her gaze lingers on a drink.

BARTENDER

What can I get you?

CATE

I'm looking for Perry.

The bartender points toward another bartender, PERRY, baby-  
faced, tattooed, and pierced. Cate hesitates for the  
briefest moment.

34 INT. GOOD LUCK BAR - NIGHT

34

Cate sits opposite Perry as he works the bar.

PERRY

I'd seen Rusty drag her around by  
her hair. He'd hit her, smack  
her, call her names. He was  
just... bad to her.

He pushes a drink toward Cate.

CATE

Thanks.

(pause)

(MORE)

CATE (CONT'D)

Do you know if Lacey was ever involved with a cop named Robert Welch?

PERRY

What do you mean?

CATE

Did they date? Did she have sex with him--

PERRY

Forcefully, yeah.

CATE

Meaning?

PERRY

He took it from her.

CATE

I'm sorry, what?

PERRY

Meaning he forcefully put himself on her.

CATE

Lacey was raped by *Welch*?

PERRY

Yeah, Welch and another cop came into her trailer while Rusty was waiting outside. And they forced her.

Cate looks at the drink. Touches the glass, then nudges it aside.

PERRY

Afterward, he told her if she said anything, he'd come after her kid.

35 INT. CWCF, DAY ROOM - DAY

35

Cate sits across from Lacey.

CATE

If I go and tell the judge that the cops framed you for murder, he's gonna want to know *why*. I think I have an answer for him, but I need to hear it from you.



Lacey starts to cry.

Cate waits. Lacey wipes her face, trying to control her sobs.

Finally, she starts to speak in a small, strangled voice.

LACEY

I called the cops one time when Rusty beat my face. Rusty just went ballistic.

Lacey buries her hands in her sleeves, wiping at her face.

LACEY

A few weeks later, it was the day before my eighteenth birthday, Welch and another cop come to the door asking if I'm gonna press charges. I said, no, 'cause we made up. Then they start acting weird, and Welch asks me if I'm alone. I got a really sick feeling, you know?

(breaking down)

I tried to run outside, but they were both on me, and I could see Rusty just staring up at me from the yard. They held me down and Welch punched me in the face. He said he heard I liked it rough. That Rusty told him I like it up the ass. Then they did it. They took turns doing it.

Lacey is sobbing.

LACEY

I saw Welch at Burger King, like two weeks later. I told him he was going to hell for what he did. He just laughed and said, "You can't rape a whore."

Lacey covers her face with her arm as she sobs. Cate watches her, visibly shaken. She puts a hand on her back.

CATE

Lacey, what happened to you... Nobody deserves that.

Cate walks with Bridges.

BRIDGES

Why didn't she report it?

CATE

Who was she gonna report it to?  
Her boyfriend rapes her, the *cops*  
rape her. She goes to jail and  
the *guards* rape her. It's amazing  
she's as intact as she is.

BRIDGES

Intact. For a murderess.

CATE

I don't think she did it.  
(off his look)  
The cops need a guilty party,  
they're afraid Lacey'll nail them  
on the rape. If she gets the  
death penalty, they kill two birds  
with one stone.

BRIDGES

The D.A.'s office isn't just gonna  
play along.

CATE

*They didn't know.*  
(emphatic)  
They relied on what the cops gave  
them. The cops fed them Lacey.  
It's fucking *deja vu*--

BRIDGES

All over again.

37

INT. COURTHOUSE PARKING GARAGE - NIGHT

37

Cate walks toward her car. Headlights appear behind her.

BRINKERHOFF (O.S.)

I guess you just can't keep a good  
woman down.

Cate looks back to see D.A. BRINKERHOFF, 50's, a beefy guy in  
a grey suit and severe comb-over, drive up behind her.

BRINKERHOFF

Walk away. Or it's going to get  
ugly.

Cate glares at him and keeps walking.

CATE

What's the matter, Brinkerhoff?  
Afraid I'm going to air your dirty  
laundry?

Brinkerhoff keeps pace with Cate.

BRINKERHOFF

You air mine and I'll be forced to  
air yours. And we both know you  
got a shit-load.

Brinkerhoff drives away, leaving Cate in his exhaust.

38 INT. CATE'S APARTMENT, BEDROOM - DAY 38

Cate sleeps, surrounded by files. Her cell rings.

Cate rouses, reaches for it.

BRIDGES (O.S.)

Well, the good news is, you're  
very photogenic--

CATE

(eyes closed)  
What?

BRIDGES (O.S.)

Might want to Google yourself.

Cate's eyes snap open.

CATE

Oh, no. Don't even...

She grabs her iPad, types.

A slew of hits, including The Times, featuring Cate's photo  
and the headline:

*LACEY'S LAWYER STRUGGLES TO GO STRAIGHT*

CATE

Mother fucker.

39 INT. CWCF, VISITATION PHONES - DAY 39

Cate sits opposite Lacey, talking through the phone.

CATE

I need you to stay the course with  
me--

LACEY  
(screaming)  
I've been rotting away in here for five years! My baby's already in kindergarten! I can't afford to have another fucked-up lawyer fuck me up again--

Lacey breaks down.

Cate watches Lacey cry, miserable.

CATE  
Okay. So now you know. I'm not perfect.

Cate's face is flushed, her eyes steely.

CATE  
I've made mistakes. *Big ones.* Just like you. You want a new lawyer, that's your prerogative. But I am fucking *good* at what I do, and I intend to win this. Not just because you got a raw deal, but because I happen to believe you're innocent!

Lacey's anger subsides in the face of Cate's fire.

LACEY  
I thought you said it didn't matter.

CATE  
It matters to me.

40 INT. JUSTICE SUMPTER'S COURT - DAY

40

Cate rises from the defense table in front of a packed gallery. She touches Lacey's shoulder as she turns to face Judge Sumpter.

CATE  
Lacey Stubbs may be guilty of having bad taste in boyfriends, of being naive, of standing by an abusive man and lying to protect him. But she's *not guilty* of murdering Jennifer Cole.

Cate faces the gallery.

CATE

Of the crime for which she is currently serving life in prison, Lacey Stubbs is *actually innocent*.

Cate moves toward a lectern.

CATE

When I first took this case, I believed Lacey was guilty. I'd read the news reports. She looked like a bad girl right out of the tabloids. Only that wasn't the real Lacey Stubbs.

Cate gestures to Lacey at the defense table.

CATE

This is.

Cate presses a button on her computer, projecting a yearbook photo of Lacey: plain, no make-up, the girl next door.

CATE

This photo was taken two months before Lacey started dating the real killer, Rusty Burkhardt. Rusty transformed Lacey to his taste, attempting to change the girl next door into a femme fatale. Only he didn't actually succeed.

(facing Sumpter)

Lacey Stubbs isn't the dangerous person in this courtroom today.

Cate points to the prosecutors table.

CATE

They are.

Murmurs from the gallery.

JUSTICE SUMPTER

(pounding gavel)

Quiet!

CATE

(to the gallery)

It sounds outrageous, doesn't it? But Lacey Stubbs is in prison not because she's *actually* guilty, but because District Attorney Brinkerhoff and the Hawthorne County P.D.

(MORE)

CATE (CONT'D)  
*decided* she was guilty and set  
about *fabricating* a case against  
her.

Cate takes a step toward Sumpter as she gestures toward the  
prosecution.

CATE  
They withheld evidence. They  
suppressed witness statements.  
They coerced a defense witness to  
change key testimony. And then  
they invited the real killer,  
Rusty Burkhardt, to take the stand  
and claim that Lacey had confessed  
to *him*.

Cate faces Barker, who jots notes on a pad.

CATE  
Police and prosecutors considered  
Lacey Stubbs trash, and they threw  
her life away without so much as a  
backward glance.

Cate is standing only steps away from Sumpter.

CATE  
If it could happen to her, it  
could happen to any one of us.  
(pause)  
It could happen to me.  
(pause)  
It could happen to you.

41 INT. JUSTICE SUMPTER'S COURT - LATER

41

Cate questions a psychiatric nurse, MS. SIMMONS, 40's.

MS. SIMMONS  
Rusty terrorized Lacey with  
regular beatings, sexual assaults,  
knives to the throat. He held her  
down and cut her hair with a  
knife. He forced her to enact  
scenes from pornographic videos.

CATE  
So why didn't she just leave?

MS. SIMMONS  
As a child, Lacey was chronically  
molested by her uncle.  
(MORE)

MS. SIMMONS (CONT'D)

When she told her mother about it, she was punished and told never to mention it again. To Lacey, abuse was absolutely normal. Rusty's a classic batterer. Lacey is a classic victim.

42 INT. JUSTICE SUMPTER'S COURT - LATER 42

Cate questions an expert witness, DR. MIRANCHANDI.

CATE

Dr. Mirchandani, once the carotid is severed, how long can someone remain conscious?

MIRCHANDANI

Without medical intervention, typically... a matter of minutes.

CATE

How many minutes are we talking?

MIRCHANDANI

Maybe five, six...

CATE

Doctor, if a person is unconscious from acute blood loss, can they speak?

MIRCHANDANI

(smiles)

No.

CATE

So unless Hazel Cole arrived home within minutes of her daughter being attacked, she couldn't possibly have heard her say *anything*. Is that correct?

MIRCHANDANI

That's correct.

In the gallery, HAZEL COLE, 52, wearing a photo-button of Jen Cole's face, frowns.

43 INT. JUSTICE SUMPTER'S COURT - LATER 43

Cate stands next to OFFICER DUNCAN, on the stand.

CATE

Are you aware of Ms. Stubbs' claims that she threw a pink garbage bag containing a knife with Rusty Burkhardt's fingerprints on it into the Tuhunga River?

DUNCAN

No such bag was ever recovered.

CATE

But you heard Ms. Stubbs make that statement?

DUNCAN

I can't say that I actually heard her say that, no.

CATE

I'm reading from Lacey's January 26th statement: "I put the knife in a pink trash bag, I drove over the Stonyvale Bridge, and threw it in."

Cate looks at Duncan.

DUNCAN

Is that a question?

CATE

Did police search the Tuhunga River?

DUNCAN

I believe so. No bag was found.

CATE

Did you participate in that search?

DUNCAN

No, I did not.

Cate looks at him, surprised.

CATE

You didn't?

DUNCAN

No, I did not.

Cate retrieves a VHS cassette from the defense table.



CATE

This is the tape of the search that police gave to the defense before Ms. Stubbs' trial.

Cate puts the tape in a player, then uses a remote to scan through footage of the police search of the lake.

CATE

Have you ever seen this tape, Mr. Duncan?

DUNCAN

I'm aware of it. No pink bag was found.

CATE

But police were *searching* for a pink bag because Ms. Stubbs told detectives that she'd put the murder weapon with Rusty Burkhardt's fingerprints on it into a pink trash bag and thrown it into the Tuhunga River. Correct?

DUNCAN

But we never found it.

The camera lurches as it closes in on a cluster of cops at the lake's edge.

The tape ends abruptly.

Cate holds up a second VHS cassette.

CATE

Here's another tape. This one *wasn't* shown at my client's trial five years ago. It contains the exact same footage of the lake search, only this one happens to be a minute longer. Any idea why that might be?

DUNCAN

No, ma'am.

CATE

But you're certain you didn't participate in the search?

DUNCAN

That's correct.

Cate puts the second tape in the player, fast-forwards through identical footage of the lake search, then presses play.

ON MONITOR: The camera lurches as it closes in on the cluster of cops at the river's edge.

As the camera moves in on the cops, one turns toward camera.

It's Duncan.

Cate freezes on his face.

CATE  
So Detective Duncan, this isn't  
you?

Pause.

DUNCAN  
(confused)  
It looks like me.

CATE  
Because it is you, right?

Cate hits play.

ON MONITOR: Another cop in the cluster pokes at a pink plastic bag caught on a branch.

CATE  
What does that look like to you,  
Detective?

DUNCAN  
Something caught on a branch.

CATE  
A pink bag maybe? Oh! There you  
are again.

ON MONITOR: Duncan turns back to the camera and angrily waves. The tape ends abruptly.

Cate turns off the player.

CATE  
Would you be surprised to hear  
that the footage of the pink bag,  
and the footage of you waving at  
the cameraman to stop filming,  
were *not* on the tape given to Ms.  
Stubbs' counsel before her trial?

DUNCAN

I just wanna say... Seeing the  
tape... my memory is refreshed.  
(to the judge)  
I've been on a lot of searches.

Sumpter scowls.

DUNCAN

The bag just had... I think it was  
diapers or something.

CATE

So now you remember the bag.

DUNCAN

You just showed it.

CATE

Which is why you remember it.  
Because your memory was refreshed.

Duncan just stares at her.

CATE

Are you certain it was *diapers* in  
the bag and not a *knife* with Rusty  
Burkhardt's fingerprints on it?

DUNCAN

I'm certain.

CATE

As certain as you were that you  
didn't participate in the search?

44 INT. COURT HOUSE, CORRIDOR - DAY

44

Cate walks out of court.

Bing!

She glances at her phone.

There's a text from Wilson George:

*REMEMBER ME?*

Cate stops in her tracks, scans the corridor.

At the far end of the hallway stands a tall, grizzled man,  
WILSON GEORGE, 50. His hair, face, and uniform are all gray.

Frightened, Cate suddenly turns and quickly heads in the  
opposite direction.

45 INT. COURT HOUSE, WOMEN'S RESTROOM - DAY 45

Cate hides out in a corner of the restroom, fumbling in her purse, searching desperately for a cigarette, trying to calm herself.

BING! Another text:

*guess thts a ys*

AUGIE (O.S.)  
RRRRRAARRR!

46 INT. PSYCHOLOGIST'S OFFICE - DAY 46

Augie plays with a small *daddy doll* and a plastic tiger. Cate sits on the floor nearby as Dr. Weiss observes from across the room.

AUGIE  
Then the daddy *roars* at the tiger,  
and chases him *aaaall* the way  
back! All the way back to the  
jungle!

Augie throws the tiger back into a basket of toys, and pulls out a crocodile.

AUGIE  
And if the *crocodile* comes...  
Daddy will say *Ahhhh!* And *graaaab*  
it, and *draaaag* it, *all* the way  
back... All the way back...  
AAAAAH!

Augie throws the crocodile back into the basket. Augie finds a bear.

AUGIE  
And if the bear comes--

CATE  
(using a mommy doll)  
*Mommy* will grab that bear--

AUGIE  
No!

Augie grabs the *mommy doll* from Cate and jams it into the basket.

CATE  
(taken aback)  
Mommy can't play?

AUGIE

This is a *daddy* game.

CATE

Mommies can be pretty fierce, too.

Augie scowls, her game ruined.

Cate pulls the "mommy doll" out of the basket, straightening her twisted limbs.

AUGIE

No! She can't play!

Augie grabs the "mommy doll" from Cate and jams it back into the basket with a stunning ferocity.

Dr. Weiss, watching, concerned, gives Cate an empathetic look.

47 INT. JUSTICE SUMPTER'S COURT - DAY

47

Cate hands a piece of paper to Detective Welch, on the stand.

CATE

This is a photocopy of Hazel Cole's statement dated December 27th. The one that you took, is that correct?

WELCH

Yes.

CATE

Please take a moment to review it.

Welch gives the paper a cursory look. Hazel Cole watches from the gallery.

CATE

Do you see any mention of Hazel Cole saying that she heard her daughter say, "Lacey did it"?

WELCH

I remember her saying it.

CATE

Is it in the statement?

WELCH

(reads, looks up)

It might have been in a later statement.

Cate hands Welch another piece of paper.

CATE

Here's a statement that you took from Hazel Cole a week later, on January 3rd. Do you see any mention of a dying declaration?

Welch studies the second statement.

WELCH

Not that I see.

CATE

Not that anyone could see, right? Because it isn't there.

WELCH

Well she said it.

CATE

Officer Welch, is it in your written statement, yes or no?

WELCH

No.

Cate hands him another document.

CATE

Here's another statement you took three weeks later, on January 25th. Is it mentioned here?

Welch reads, then shakes his head.

WELCH

No.

Welch sets the paper aside.

CATE

If Hazel Cole *had* mentioned to you that, as she held her dying daughter in her arms, she had said, "Lacey did it," would that be something you'd typically include in your report?

WELCH

She might have mentioned it at some future time.

CATE

You mean after you suggested to her that it would help you make your case against Lacey Stubbs?

BARKER

Objection.

JUSTICE SUMPTER

Sustained.

Hazel Cole shakes her head, deeply upset.

Cate takes the report back from Welch and walks it back to the defense table.

CATE

Do you remember Hazel Cole calling you to say she'd found an earring several weeks after the murder? An earring that she subsequently turned over to the police?

WELCH

Yes.

CATE

Do you remember Rusty Burkhardt telling police that the earring was his?

WELCH

No, I do not remember that.

Cate retrieves a cassette tape and holds it up to Sumpter.

CATE

Your honor, defense exhibit 17.

Sumpter makes a note as Cate puts the cassette in a player, and presses play.

*DETECTIVE'S VOICE (O.S)*

*(on tape)*

*Do you recognize this?*

*RUSTY'S VOICE (O.S)*

*(on tape)*

*Yeah.*

*DETECTIVE'S VOICE (O.S)*

*(on tape)*

*What is it?*

*RUSTY'S VOICE (O.S)*

*(on tape)*

*It's my earring.*

Cate presses stop.

CATE

Detective Welch, do you recognize the two voices on that tape?

WELCH

Yes. It was me and Rusty Burkhardt.

CATE

And who did Rusty say the earring belonged to?

WELCH

If you play the rest of the tape, he changes it--

CATE

I'm not talking about after you *coached* him. I'm asking you, right *there*, when you first asked the question--

(hard)

Did Rusty Burkhardt say the earring was his, yes or no?

Welch just glares at Cate.

48

EXT. PLAYGROUND - DAY

48

Cate, loaded down with purse, snacks, and sand toys, walks up a set of steps leading to a suburban playground. Augie trails behind, hanging on to Blue Dog. She stoops to pick at a wad of ancient gum.

CATE

Come on, baby. Let's go play in the sand. We can build a giant sand cake.

AUGIE

When's Daddy coming back?

Pause.

CATE

Are you hungry? I brought snacks.

Augie ignores her.

CATE

Baby, that's garbage. Don't touch that.

Augie has put Blue Dog down; she's picking at the gum with both hands now. Cate turns toward the playground.



Kids swing, play, run, climb.

CATE  
Want to do "blast off" on the  
swings?

AUGIE  
Space, please.

A mother and child chase each other around the play structure, laughing.

Frustrated, Cate looks back to the street as if she'd like to flee. Her phone buzzes in her purse.

CATE  
(to Augie)  
I'll be right over there on that bench. You let me know when you want to play.

Augie ignores her.

Cate heads for the nearest bench, digging in her purse for her buzzing phone.

She finally pulls it out, checks:

*Wilson George*

Cate immediately presses IGNORE. She takes a deep breath, dials.

BRIDGES (O.S.)  
(over phone)  
You'd think with twelve million people in this goddamned state you'd be able to buy a decent bagel--

CATE  
(ignores)  
Wilson George just called me again.

BRIDGES (O.S.)  
(over phone)  
Time to get yourself a restraining order.

CATE  
What does he want from me?

Cate looks over to the sidewalk. Blue Dog's still there, but Augie's gone.

Cate stands, moving so she can see around trees and other kids, scanning the playground.

No Augie.

CATE  
(yells, panicked)  
Augie!

Cate starts running.

49 OMIT 49

50 INT. POLICE CAR (MOVING) - DAY 50

Cate rides with TWO COPS in the back of a police cruiser, Blue Dog in her hands. She's frantically searching the street.

The COP in the passenger seat turns to Cate.

COP  
You sure her father didn't come for her?

CATE  
He's out of town. He's coming back tonight.

Cate's cell rings.

She checks caller ID:

Wilson George

Cate stares at her phone, suddenly seized with a terrible thought.

She answers.

CATE  
Where is she?

WILSON (O.S.)  
(over phone)  
This is Wilson George--

CATE  
Where is my daughter?

Silence. Then a mirthless, machine-gun laugh issues from the phone.

CATE  
*You need to tell me where she is.*

WILSON (O.S.)  
I don't know a fucking thing about  
your daughter--

CATE  
I'm with the police right now. If  
you don't--

Click.

Cate covers a sob, trying to stay calm.

51 INT. CATE'S APARTMENT - DAY 51

Cate rifles through a box of mementos as Bridges looks on.

CATE  
(near hysterics)  
I don't even have a recent  
photograph. Josh has all our  
pictures. *Goddammit!*

BRIDGES  
You can give them one from your  
phone. You gotta *breathe*--

CATE  
Don't fucking lecture me! I can't  
take it right now--

The phone rings. Cate lunges for it.

CATE  
Hello?

VOICE (O.S.)  
(over phone)  
This is Officer Demeteo of the  
Hawthorne Police Department. Is  
this Ms. McCall?

52 INT. POLICE DEPARTMENT, HAWTHORNE DIVISION - NIGHT 52

Cate argues with a YOUNG COP at the reception desk.

CATE  
I want to know why my daughter's  
in Hawthorne when the park she was  
taken from was more than sixty  
miles from here.

BRIDGES  
Cate--

Bridges touches Cate's shoulder. She turns to see Welch and Duncan walking down the hall with Augie.

Cate runs to Augie, snatching her in her arms.

CATE  
Baby, are you okay?

Augie nods.

AUGIE  
I rode in a police car.

Cate glares at Welch.

WELCH  
Might want to keep a closer eye on  
your kid. A lot of creeps out  
there.

Welch and Duncan push through the swinging door and saunter back into the bullpen laughing.

CATE  
(enraged)  
You go anywhere near her again and  
I'll fucking kill you!

BRIDGES  
Okay, friends, let's take a giant  
step toward the door--

Bridges commandeers Cate and Augie.

CATE  
(yelling)  
You fucking assholes!

DUNCAN  
Nice language, mom.

BRIDGES  
*Cate.*

Cate allows Bridges to lead her and Augie out the door.

53 INT. CATE'S RENTAL CAR (MOVING) - NIGHT

53

Cate drives in silence with Bridges. Augie's in the back, hanging on to Blue Dog.

CATE  
(to Augie)  
Baby, I'm so, so sorry.  
(pause)  
(MORE)

CATE (CONT'D)  
That'll never happen again. Ever.  
(pause)  
I promise.

Cate adjust her rearview mirror so she can see Augie, who lays her head against her car seat, staring out the window.

54 EXT. JOSH'S HOUSE - DAY 54

Cate pulls up as Josh gets out of a taxi.

Cate gets out of her car, takes Augie out of her seat.

Augie wriggles away from Cate and runs to Josh.

Cate watches as Josh enfolds her in his arms. He heads up to the house with Augie, Cate following.

CATE  
I looked away for a *minute*.

JOSH  
If this case is putting Augie at risk, then take yourself off it.

CATE  
I am *not* gonna let those bastards win.

JOSH  
This may come as a huge shock to you, Cate. But everything's not about winning.

55 OMIT 55

56 INT. JUSTICE SUMPTER'S COURT - DAY 56

Cate questions a sweet-faced woman, CECE CLAYMAN, 68, on the stand.

CECE CLAYMAN  
A car with a kind of patchwork paint job came toward me, swerving over in my lane. It looked like he was drunk.

CATE  
The driver was a man, Miss Clayman?

CECE CLAYMAN

Yes he was. Should I say who it was?

CATE

If you know.

CECE CLAYMAN

It was Rusty Burkhardt.

CATE

Could you see anyone else in the car with Mr. Burkhardt?

CECE CLAYMAN

There were two girls. The one in the front had straight black hair.

In the gallery, Hazel Cole leans forward, worried.

CATE

And you told all this to the detectives?

CECE CLAYMAN

I sure did. They asked me if I'd be willing to come to court to testify. I said I would. But they never called me.

57

INT. JUSTICE SUMPTER'S COURT - LATER

57

Lacey weeps on the stand as she testifies. Cate gives her a small nod of encouragement.

LACEY

He had his gun against my throat. Then he moved it down between my legs. And he pushed it inside me. I could feel the cold steel inside me. He was moving it in and out... While he sodomized me.

Lacey wipes her face with the back of her hand.

CATE

Do you remember anything about the gun? What it looked like?

LACEY

It had letters engraved on the handle.

CATE

Could you read what they were?

LACEY

It said "raw".

CATE

Raw?

LACEY

R-A-W.

CATE

Did you know either of the men who raped you?

LACEY

One of them was friends with Rusty. Robert Welch.

Barker furiously whispers something to his colleague.

CATE

What happened then?

LACEY

Welch got off me and said if I opened my mouth, they'd come back and do the same thing to my kid.

Barker's colleague gets up and almost runs out of court.

CATE

Did you ever see Robert Welch again, after the rape?

LACEY

He was the one who arrested me.

CATE

(nods to Lacey)  
Thank you.

Lacey steps down. Cate walks back to the defense table.

Sumpter, looking angry, turns to his bailiff.

JUSTICE SUMPTER

Mr. Davis, please ask our friends in the Sheriff's office to locate Detective Welch and invite him back into my courtroom.

The bailiff pulls out his phone.

JUSTICE SUMPTE

I want to warn the prosecution: I don't want anyone to discuss with Mr. Welch what has just been brought up here.

There's a hubbub at the prosecutor's table. A female assistant DA jumps up and heads out of the courtroom.

JUSTICE SUMPTE

Is there a problem, Mr. Barker?

BARKER

Uh, your honor, my associate may be on the phone with Detective Welch right now.

JUSTICE SUMPTE

What?

The female Assistant DA stops, looking at the judge.

BARKER

I asked him to call as soon as the rape allegation was raised here in court.

JUSTICE SUMPTE

What? Two minutes ago?

BARKER

Obviously, this whole thing is coming as a complete surpr--

JUSTICE SUMPTE

God help you if somebody coached this witness. Do you hear me, Mr. Barker? God help you.

58 INT. COURT HOUSE, SNACK SHOP - DAY

58

Cate reaches for two granola bars and an apple.

MOSELEY (O.S.)

Stunning work on Lacey Stubbs.

Cate turns to face AUSTIN MOSELEY, 46, rumpled suit, bow tie, pouring milk into his coffee.

MOSELEY

You actually make her look innocent.

Something in Moseley's smile suggests they've got history.



CATE

She *is* innocent.

MOSELEY

Sounds like the cops gave her a run for her money, that's for sure.

CATE

Yeah, you could say that.

Cate's cell beeps. She checks a text message as she moves to the check-out.

The cashier rings her up. Moseley puts his coffee on the counter.

MOSELEY

(to Cate, quiet)

Sorry... I know I just dropped off the radar.

CATE

It's okay...

MOSELEY

My wife and I are actually separated now.

CATE

I'm sorry.

MOSELEY

No, it's good. It's... better. It got pretty ugly for awhile.

CATE

Yeah, I know about ugly.

MOSELEY

Maybe we could get coffee some time. Catch up.

Moseley smiles at her, warm and handsome.

Cate pays the clerk.

CATE

Things are pretty crazy now.

Cate picks up her snacks.

MOSELEY

Okay. Alright.

(smiles)

It's good to see you.

CATE

(drawn to him)

You, too.

59 INT. JUSTICE SUMPTER'S COURT - DAY

59

Cate, holding a copy of a police report, walks toward Welch, on the stand.

CATE

I have an incident report here dated November 6th, 2002. Would you please take a look to refresh your memory.

Cate holds out the report to Welch. He takes it.

CATE

According to that report, Lacey Stubbs met you at the door with a bloody face saying, "Rusty has a butcher knife. I'm afraid he's going to kill me." Is that correct?

WELCH

Yes.

CATE

Do you recall coming to the same trailer three weeks later on November 29th to ask Miss Stubbs if she intended to press charges?

WELCH

No, I do not.

CATE

You don't remember that?

WELCH

It never happened.

CATE

You don't remember pushing your way into the trailer and forcing Lacey Stubbs to have anal sex with you--

BARKER

Objection.

JUSTICE SUMPTER

Sustained.

Welch regards Cate with calm, cold eyes.

CATE

Where were you Saturday, November 29th, 2002?

WELCH

(icy)

I have no idea.

CATE

But you're sure you weren't raping Lacey Stubbs.

BARKER

Objection.

JUSTICE SUMPTER

Sustained.

WELCH

Dead sure.

Cate walks back to the defense table. She stops, turns back to Welch.

CATE

Do you carry a gun?

WELCH

Always.

CATE

May I see it?

Welch takes his gun from its holster, removes the cartridge, and holds the gun out to Cate. She doesn't take it.

CATE

Is it engraved in any way?

WELCH

Yeah. With my initials.

He displays a shiny area on the handle.

CATE

Mr. Welch, what are the initials engraved on your gun?

WELCH

R-A-W.

60 INT. THE LIVING ROOM - NIGHT

60

Boisterous crowd. Cate, in high spirits, chalks her cue stick. As Bridges takes his shot, his cell rings.

BRIDGES

Dammit.

CATE

(grins)

Excuses, excuses...

Cate leans over the table and sinks one.

Bridges checks messages. Cate lines up the eight ball.

BRIDGES

How do you like that? Prosecutor finally wants to negotiate on Sims.

CATE

You can't go. I'm about to annihilate you.

Cate banks in the eight ball.

BRIDGES

The wheels of justice ever turning, grinding down the innocent.

Cate puts the balls back on the table.

CATE

What about my closing statement?

BRIDGES

Practice in the mirror 'til I get there.

Bridges winds his way to the door.

As Cate racks up, she sees Austin Moseley take a seat at the coffee bar.

Cate considers for a moment, then heads his way.

CATE

Wanna play?

Moseley turns on his stool.

MOSELEY

(amused)

If I recall, you're not a very good loser.

CATE

Shouldn't be a problem. As I recall, you're not a very good player.

They both smile.

61 INT. MOSELEY'S APARTMENT, FOYER - NIGHT 61

Moseley and Cate feverishly pull at each other's clothes. Mouths and bodies come together with an almost violent ferocity.

62 INT. MOSELEY'S APARTMENT, BEDROOM - NIGHT 62

Moseley lies in bed watching Cate dress.

MOSELEY

Can I ask you something?

CATE

Yes, they're real.

Moseley smiles.

MOSELEY

You really believe the cops went out of their way to frame poor little Lacey? Isn't it easier to just believe she did it?

Cate's good humor evaporates from her face.

CATE

The cops *lied*. They're still lying.

MOSELEY

I'm not saying they're not guilty of sharpening their knives a little. Maybe they left out some things so the court wouldn't be confused--

CATE

Yeah, they left out some things. Things that would have given my client a fair trial.

Cate struggles to put on her boots.

MOSELEY

Come on, Cate. I'm just saying, even if sometimes the cops use some less than ideal methods--

CATE

They gang-raped her!

MOSELEY

If they get the right person to prison, justice is still served.

CATE

God save us from your brand of justice.

Cate grabs her purse and heads out, letting the door slam.

63 INT. JUSTICE SUMPTER'S COURT - DAY

63

Cate addresses Sumpter.

CATE

The prosecution's case against my client demands that you believe two incredible things: The testimony of a known perjurer and probable killer who says that Lacey Stubbs confessed to *him*. And Hazel Cole's dubious claim that she heard her daughter say "Lacey did it"--

BARKER (O.S.)

Oh, for god's sake.

Cate turns to the prosecutor's table where Hazel Cole is furiously whispering in Barker's ear.

JUSTICE SUMPTER

Is there a problem, Mr. Barker?

BARKER

I'm sorry, your honor. Ms. Cole is asking for a chance to address the court.

CATE

(incredulous)  
During my closing statement?

HAZEL COLE

(upset)

Your honor, it's very important I be able to get something off my chest before this is all over.

Cate looks up at Sumpter who just stares in disbelief.

JUSTICE SUMPTER

By all means, let's hear it.

64

INT. JUSTICE SUMPTER'S CHAMBERS - DAY

64

Cate and Barker watch as Hazel Cole, fighting tears, addresses Sumpter across his desk.

HAZEL COLE

I saw Rusty driving past me as I was coming home that morning, too, just before I found Jen.

JUSTICE SUMPTER

Is it your testimony that, after all these years, your memory was only now jogged?

HAZEL

No, I told detectives at the time. But they told me I shouldn't dwell on it.

Hazel's crying. Sumpter's face turns red with rage.

JUSTICE SUMPTER

Detectives told you that you shouldn't dwell on it?

HAZEL COLE

Yes, sir. And I guess I just put it out of my mind. Until that neighbor-lady said she saw him, too.

(wipes her eyes)

I'm a Christian and I try to always tell the truth. And I just felt I should tell you.

JUSTICE SUMPTER

I commend you for your honesty. Something that's in short supply in my courtroom, as of late.

Sumpter glares at Barker.

JUSTICE SUMPTER

At this point, Mr. Barker, with all we've heard, wouldn't you say it's time we discuss some relief?

BARKER

Your honor, I could use a moment to--

JUSTICE SUMPTER

(brandishes a transcript)  
We've had police detectives lying under oath, altering tapes, suppressing evidence!

Sumpter lets the transcript drop.

JUSTICE SUMPTER

And now we have the victim's own mother, with no reason to lie, telling us that she saw Mr. Burkhardt fleeing the scene of the crime. I repeat: At this point, Mr. Barker, don't you think Miss Stubbs is entitled to some relief?

Barker looks at the judge, sheepish, beaten.

BARKER

I can see how one could think that... yes.

JUSTICE SUMPTER

You can make a decision over the weekend whether you want to put on your own witnesses and defend this case.

Barker grimly nods.

JUSTICE SUMPTER

In the meantime, I'm going to release Miss Stubbs into some agreed-upon custody--

HAZEL COLE

(to Barker)

He's letting her go?

(panicked, to Sumpter)

But don't you see? If I saw them, it means I got there within minutes. It means I got there when Jen could still speak!



JUSTICE SUMPTER

If you saw Mr. Burkhardt leaving the crime scene and told detectives, it means they withheld exculpatory evidence.

(to Cate)

Ms. McCall you're the obvious choice for custody--

CATE

Your honor, I have plans to see my daughter--

JUSTICE SUMPTER

(standing)

I'm sure you'll work something out.

(turning)

Mr. Barker, we'll all be anxious to hear from you on Monday.

The judge walks out. Cate is stunned.

65 OMIT 65

66 INT. CATE'S APARTMENT, LIVING ROOM - NIGHT 66

Cate, carrying fast food and CVS bags, holds the door open for Lacey.

Inside, it's a disaster: stacked transcripts and files on every surface, dirty dishes in the sink, overflowing garbage.

CATE

Welcome to my perfect life.

67 OMITTED 67

68 INT. CATE'S APARTMENT, HALLWAY - NIGHT 68

Cate gathers a towel and washcloth, as Lacey talks on the phone in the next room. Cate takes a toothbrush and toothpaste from the CVS bag.

LACEY (O.S.)

(on phone)

Just fuckin forget it!

Cate steps into the doorway to the living room where Lacey's sitting, upset, the phone beside her.

LACEY

(to Cate)

I'm out for one weekend in five years and my parents won't bring my kid to see me. They said she has fucking *Sunday school*...

Lacey starts to cry.

69

INT. STUBB'S TRAILER, FAMILY ROOM - DAY

69

Cate sits in the panelled family room with MR. and MRS. STUBBS and Lacey's daughter, SABRINA, 5, all glued to the TV.

Lacey's in the kitchen talking on the phone, foraging for junk food.

MRS. STUBBS

(to Cate)

They really gonna let her off?

CATE

We'll know more Monday, but it looks like things may finally go Lacey's way.

Mrs. Stubbs looks over at Lacey with cold, disapproving eyes.

MRS. STUBBS

Things always go Lacey's way. She makes sure of it.

70

INT. CATE'S APARTMENT, ROOFTOP - DUSK

70

Cate sits smoking with Lacey, who has a blanket around her shoulders.

LACEY

A few months after they sent me to jail, my ma wrote me a letter. She said when I was a baby I had this real high fever. And how she had to stay up all night giving me a bath in ice cubes. It was this whole long list of all these things I'd done wrong. All the way back to me picking some stupid green tomato when I was like two and eating it on her white bedspread. And then, at the end... She told me she never loved me.

Lacey smiles as she stubs out her cigarette.

LACEY

She said it would have been better  
for everybody if, all those years  
ago, she'd of just let me die.

71 INT. CATE'S APARTMENT, BEDROOM - DAY

71

Cate puts on a necklace, getting ready for court. Lacey  
steps into the doorway in a borrowed blouse and skirt.

LACEY

How do I look?

CATE

Like a free woman.

Cate smiles. Lacey smiles back, but it's clear she's  
nervous.

LACEY

Thanks for everything you did. I  
know it isn't over, but... I just  
wanted to say it.

Cate unclasps her necklace.

CATE

I've worn this to court on every  
case I've ever tried...

She puts the necklace around Lacey's neck, fastens it.

CATE

And I've never lost.

71A EXT. COURTHOUSE - DAY

71A

Cate and Lacey ascend the courthouse steps with Bridges.  
They move through a crowd of press photographers and  
protesters.

A MAN pushes a sign toward them: a photo of Lacey from her  
original trial, with devil horns and an angry red slash  
across her face.

SIGN MAN

Burn in hell, you ugly slut!

SIGN MAN'S GIRLFRIEND

You're a vicious little bitch and  
everybody knows it!

The man spits in Lacey's face.

CATE

Back off, asshole.

Cate keeps moving forward, shielding Lacey.

Bridges heads up the steps toward them, as a PRIM WOMAN moves in on Cate.

PRIM WOMAN

Those're good men! You're the one who's guilty of misconduct.

SIGN MAN

(to Cate)

I hope she slices you up next!

Bridges puts his arm around Cate and Lacey and shepherds them through.

BRIDGES

Kindly fuck off. Human beings coming through...

72

INT. JUSTICE SUMPTER'S COURT - DAY

72

Cate and Lacey sit at the defense table in front of a gallery of on-lookers, including Hazel Cole.

Barker stands before Sumpter.

BARKER

Your honor, I'd respectfully submit that, at the very least, Lacey Stubbs is guilty as an accomplice or conspirator.

JUSTICE SUMPTER

The only issue before me is actual innocence of first degree murder.

BARKER

Yes, but--

JUSTICE SUMPTER

You just got through saying that you don't intend to defend this case.

BARKER

But to claim that she's *innocent*--

JUSTICE SUMPTER

Mr. Barker, I have never seen a case in any jurisdiction in the English-speaking world where there has been as much prosecutorial misconduct.

BARKER

But my point--

JUSTICE SUMPTER

By my count, at least *five* state witnesses perjured themselves. We have obstruction of justice, witness tampering. Evidence disappearing. Brady violations.

Sumpter is nearly apoplectic as he points toward Lacey.

JUSTICE SUMPTER

There is a human being sitting here who is serving a life sentence based on testimony that your office has since disowned!

Barker winces, his head down.

JUSTICE SUMPTER

I find that by clear and convincing evidence, Lacey Stubbs is *actually innocent* of first degree murder.

Cate's face erupts into a gleeful smile as she looks at Lacey.

JUSTICE SUMPTER

And so she shall be immediately released and, I'm going to add, she can never be retried in this state again.

CATE

Holy shit.

Sumpter bangs his gavel. Hazel Cole looks grief-stricken.

HAZEL COLE

No!

Lacey starts to cry. Cate puts her arms around her.

Bridges bursts through from the gallery. Cate pulls him into a group hug.

CATE

We did it!

Bridges claps Cate on the back, smiles.

BRIDGES

I would call that a serious ass-kicking.

LACEY

(through tears)

So I'm free now? No more trials, I'm just... Free?

CATE

(turns to her)

That's what the judge said.

LACEY

I just want you to know I'm not gonna blow it. I'm gonna do good. I'm gonna be a good person. And a good mama to my little girl.

Lacey's sobbing again. Cate hugs her.

CATE

You're gonna do great.

73

INT. THE BELLE IVY RESTAURANT - DAY

73

Cate, Bridges, and Augie eat sundaes al fresco at an elegant hotel restaurant.

AUGIE

(mouth full)

Ice cream has too much sugar.

CATE

(grins)

Yes it does. But today we're celebrating.

AUGIE

Why?

Bridges smiles at Cate.

BRIDGES

Because your mama helped a lady out of a real bad situation.

AUGIE

My daddy said she did bad things.

Cate shoots a look to Bridges. *Thanks, Josh.*

BRIDGES

People *thought* she'd done bad things, because some mean people told lies about her. So your mama went to court and told the truth. She made the mean people play fair.

Augie looks back at Cate, uncertain.

AUGIE

You made the mean people play fair?

Cate sweeps a lock of hair from Augie's eyes. Augie allows it.

CATE

Yeah, baby. *I did.*

Cate gives Bridges a grateful smile.

GEORGE LONCRAINE, 50, short, tan, expensive suit, approaches the table.

LONCRAINE

You were always good, babe, but, wow! You really tore it up.

Loncraine claps his arm around Cate. She pastes on a smile.

CATE

How are ya, George.

LONCRAINE

Looks like Waterford's going to trial. We could use you back on the team.

CATE

I'm not sure the other partners--

LONCRAINE

Hey, everybody deserves a second chance, right? Even a stone-cold killer like Lacey Stubbs.

Loncraine laughs, giving Bridges a congenial slap on the back.

LONCRAINE

Good to see ya, buddy.  
(to Cate)  
Call me.

BRIDGES

*Babe...*

CATE

Yeah, you pay me half a million bucks a year and you can call me "babe", too. Babe.

74 INT. JOSH'S HOUSE - NIGHT

74

As Augie plays with a stuffed blue dog, Cate kneels to say good-bye.

CATE

I gotta go, sweet-pie. You want me to give you the tiny little mama?

Augie nods. Cate takes an imaginary inch-high "mama" out of her pocket and places it in Augie's palm.

CATE

You hang on to her while I'm gone, okay?

Cate closes Augie's small fingers around the imaginary mama. She kisses Augie on the cheek.

75 EXT. STREET/CATE'S APT. BUILDING - NIGHT

75

As Cate gets out of her car, she spots a HEAVY-SET MAN standing across the street by a van, watching her.

Cate strides toward her apartment building. The man heads toward her.

Cate picks up her pace, digging for keys.

The man falls in behind her.

HEAVY-SET MAN

I need to talk to you about Lacey Stubbs.

Cate puts her key in the security door.

CATE

I'm not interested in defending myself or the case.

Cate steps inside and tries to pull the door closed behind her, but the man catches it.



HEAVY-SET MAN

My daughter is Dorrie Boothe.

Cate turns back, surprised.

MR. BOOTHE

Do you think the new evidence you dug up for Lacey might help her, too?

CATE

I don't actually do criminal defense--

MR. BOOTHE

My daughter didn't kill anybody. But they put her in prison for the rest of her natural life.

Cate looks into his anguished eyes.

MR. BOOTHE

What if she was *your* daughter?

76

INT. AGUA DULCE REFORMATORY, LAWYER/INMATE AREA - DAY

76

Cate sits across from DORRIE BOOTHE, 26, stocky, plain.

CATE

The cops basically came up with a story they wanted people to believe, they sold it to the D.A., the D.A. sold it to a jury, and they bought it. Hook, line, and sinker.

DORRIE

Isn't that what *you* did?

Dorrie regards Cate with cold, unfriendly eyes.

CATE

I was under the impression that you wanted to discuss an appeal.

DORRIE

Why?

(pause)

I'm not gonna lie to save myself. I did what they said I did. I held her down while Lacey cut her throat.

Dorrie sniffs, the corners of her mouth pulling down into a frown.

Cate just stares at her, a chill travelling down her spine.

CATE

Lacey told me that Rusty--

DORRIE

Rusty wasn't there. He dropped us off, and picked us up, but he wasn't in the condo.

(sniffs)

So Lacey can *lie* and say all kinda things, and maybe you believe her when she bats her eyes, and turns on the waterworks, and maybe some judge believes her, too. 'Cause you weren't there. But I was.

(sniffs)

I *know* what happened. And God knows. And somewhere, under all the miles and miles of bullshit...

(pause)

Lacey knows, too.

Cate stares at Dorrie, suddenly horribly unmoored.

77 INT. CATE'S CAR (MOVING) - NIGHT 77

As Cate drives, the car behind her shines its brights. Cate flips the switch on her mirror to cut the glare.

Whoo-ooop! Whoo-ooop!

Cate checks her rearview mirror. There's an unmarked police car behind her, bubble-lights whirling.

Whoo-ooop! Whoo-ooop!

CATE

Christ.

POLICE

(over P.A.)

Pull over and stop your vehicle!

Cate pulls over.

77A INT./EXT. CATE'S CAR, HIGHWAY - NIGHT 77A

The police car stops behind her.

A MAN gets out and walks toward Cate carrying a flashlight the size of a billy club.

Cate lowers her window. The man shines his light on Cate. It's Duncan.

DUNCAN

Get out of the car and keep your hands where I can see them.

CATE

What are you pulling me over for?

WELCH (O.S.)

Is there a problem?

Welch walks up behind Duncan.

CATE

(incredulous)  
You've got to be kidding.

DUNCAN

I need you to get out of the vehicle.

CATE

(to Welch)  
Okay, you've had your fun. I'm gonna go now.

WELCH

Lady, we haven't even *begun* to have fun yet.

(pause)

Get out of the car.

Cate grabs her cell phone. Welch pulls his gun.

WELCH

Get out of the fuckin car.

Welch pulls open her door. Frightened, Cate steps out.

DUNCAN

Face the car and put both hands behind your back.

CATE

I haven't done anything.

Duncan reaches for Cate, shoving her toward her car. Welch produces a half-consumed liquor bottle.

WELCH

No, but I could say you had an open container on your front seat. And in court, it's your word against mine. Isn't that right?

Duncan pulls Cate's arms behind her. Cate whirls around, back-handing him, drawing blood.

Cate bolts, as Duncan reels.

Welch grabs Cate and tackles her to the ground.

Duncan puts his boot in Cate's back as Welch cuffs her.

WELCH

Add to that assaulting a police officer, resisting arrest...

(in Cate's face)

You don't happen to know a good lawyer?

Welch walks away. Duncan yanks Cate to her feet.

CATE

(shaking with anger)

This is *bullshit*--

WELCH

(turns back)

No, *bullshit* is Lacey Stubbs saying I raped her. That's fucking bullshit.

78 INT. JUSTICE MINETTA'S COURT ROOM - DAY 78

Cate and Bridges stand before JUSTICE MINETTA, female, 60's.

BRIDGES

(to the judge)

My client has been a lawyer within this jurisdiction for thirteen years. She recently embarrassed members of the arresting police department in a high-profile habeas hearing--

JUDGE MINETTA

She's charged with assault on a LEO. That won't fly in my court, counselor. October twenty-sixth. Bond is set at five thousand, unsecured.

The judge smacks her gavel.

79 EXT./INT. STUBB'S TRAILER - DAY 79

Cate stands at the door with Mrs. Stubbs.

CATE

I need to talk to Lacey.

MRS. STUBBS

She ain't here.

Cate can see Lacey's daughter inside watching TV.

CATE

Any idea where I could find her?

MRS. STUBBS

She took off the day after the trial. Ain't heard from her since.

Mr. Stubbs looks over from his recliner.

MR. STUBBS

That ain't true. She called askin' for money.

CATE

Do you know where she was calling from?

MR. STUBBS

The number come up as Stockton. She's shacked up with some guy.

MRS. STUBBS

Said she'd be sendin' somebody to git her belongings, but so far, there it all sits.

Mrs. Stubbs gestures toward boxes stacked in a narrow hallway.

CATE

Lacey borrowed a necklace of mine. Would you mind--

MRS. STUBBS

You don't gotta explain. Lacey's been takin things that don't belong to her her whole life.

Cate digs through an open box: a ratty stuffed cat, a *Crazy Bitch* t-shirt, a shoebox filled with dirty make-up, loose tampons, a tangle of cheap costume jewelry.

Cate extracts her necklace from the tangle. At the bottom of the box, a small constellation of CZ studs. Cate sorts them into pairs.

One stud is missing its mate.

SABRINA

I wanna watch it! You're mean--

Cate looks down the hall, toward the family room where Mrs. Stubbs and Lacey's daughter are arguing.

Cate pulls open another box. Bound trial transcripts, underlined and highlighted. Newspaper clippings, jailhouse letters, a trashy novel called *Lust Girls*.

Cate drops it all back in the box.

The novel falls open to a starred and heavily underlined page.

Cate picks it up and reads. Her expression slowly changes from vague disgust to utter disbelief.

81 INT. STUBB'S TRAILER, FAMILY ROOM - DAY 81

Cate steps in holding the novel and her necklace.

CATE

Do you happen to know the name of the man Lacey's staying with?

MR. STUBBS

I don't know his name. He's the one accused of raping her.

CATE

(surprised)  
Detective Welch?

MRS. STUBBS

No, not him. The *other* one.

MR. STUBBS

That prison guard.

82 EXT. FREEWAY - DAY 82

Cate's car approaches a freeway interchange with signs for Stockton.

83 EXT. LACEY'S APARTMENT (STOCKTON) - DAY 83

Cate walks down a graffitied hallway, knocks at a door.

After a moment, a BURLY GUY wearing a security guard uniform answers the door.

CATE  
Is Lacey here?

The guy steps back to reveal Lacey. She looks entirely changed: wild hair, nose ring, revealing clothes, and a face full of make-up.

LACEY  
(smiles)  
What are you doing here?

84

OMIT.

84

Trade Media - Lionel Jullien

85

INT. LACEY'S APARTMENT, BEDROOM - DAY

85

Cate stands in a messy living room as Lacey searches for a cigarette.

CATE

He's the one you accused of rape?

LACEY

I never accused him. They said I couldn't consent because I'm a inmate, so they fired his ass, and bussed me out to bumfuck.

Cate absorbs this.

CATE

I talked to Dorrie.

LACEY

She getting a new trial, too?

CATE

She doesn't want one.

LACEY

Never was too bright.

CATE

She still says you killed Jen.

Lacey meets the challenge in Cate's eyes. She breaks into an uncomfortable smile.

CATE

Why would she still say that if it wasn't true?

LACEY

Dorrie wants to be all sweetness and Jesus now, but she killed some girl back in Alaska who was gonna tell her parents she was a lesbo. She put a rope around the girl's neck, strung her up, and dumped her body in a frozen lake. Her family moved like two months later so the cops wouldn't catch her.

Cate's listening, sensing that Lacey's full of shit.



LACEY

She wrote me all these letters from jail saying how Rusty wasn't good enough for me, and how she'd die for me. I finally told her to stop sending me that shit because I'm not a fat, ugly, dyke like her. So now she just wants to hurt me.

Cate shows Lacey the copy of *Lust Girls*.

CATE

I found this at your parent's house.

Lacey looks at the book, then at Cate.

LACEY

I read so much trash in jail. What else ya gonna do, right?

CATE

You mind reading this section?

Cate holds out the book, open to the starred and underlined page. Lacey doesn't reach for it.

LACEY

I'm borderline dyslexic--

CATE

(reads)

"I could feel the gun against my throat. Then he moved it down between my legs and I could feel the cold steel slide inside my cunt. The cop was fucking me with his piece, as his cock tore me open from behind."

Lacey's face is impassive. Only the tiniest fire burns behind her limpid eyes.

CATE

You said after Welch raped you, he threatened to do the same thing to your kid. But you didn't have a kid yet. You were still six months pregnant when you went to jail.

LACEY

He might not a said the thing about my kid right then.

CATE

Welch didn't rape you, did he?

Lacey starts to cry.

LACEY

I know it was a cop friend of  
Rusty's--

CATE

And the initials on the gun?

LACEY

I made that part up, but the rest  
is true, I swear on my grandmom's  
grave.

Cate just stares at her.

LACEY

Who the fuck are you to judge me?  
You try walkin' a mile in my shoes  
and see how nice the world looks.

CATE

What would I see, Lacey? Jen  
Cole's terrified face as I slit  
her throat?

Lacey's face suddenly turns to stone, all fire and emotion  
drained.

LACEY

The judge said I'm innocent.

Cate looks deep into Lacey's cold eyes.

CATE

But you're not, are you?

LACEY

(tiny hint of a smile)  
What do you think?

86 EXT. CITY OVERLOOK - DAY

86

Cate, furious, walks with Bridges.

CATE

Welch is dirty, Brinkerhoff was  
negligent, Rusty's a creep, and  
she's guilty! Jesus christ. I  
did what I accused them of.

BRIDGES

It's not the same thing and you know it.

CATE

We won the case based on a *lie*.

BRIDGES

Forget about Lacey Stubbs and focus on the custody hearing. You did your job. You did it well. Now move on.

87 EXT. COURT HOUSE, SECURITY - DAY

87

As Cate passes through the metal detector, she sees Justice Sumpter getting on an elevator across the lobby.

Cate grabs her purse from the x-ray belt, turns to Fern behind her.

CATE

I'll meet you up there.

Cate pushes through the throng.

88 INT. JUSTICE SUMPTER'S CHAMBERS - DAY

88

Sumpter leans back in his chair, smiling at Cate.

JUSTICE SUMPTER

You sit on the bench as long as I have and you come to realize that these things are basically just a liars' contest.

(rises; putting on robe)

The point is we sent a clear message to law enforcement.

Cate just looks at Sumpter as he zips up his robe.

CATE

But she's *guilty*.

JUSTICE SUMPTER

I heard about your assault charge.

CATE

That's all bullshit--

JUSTICE SUMPTER

Who's the judge?

CATE

Minetta.

JUSTICE SUMPTER

I know her a little. I'll see what I can do.

CATE

What, you're going to--?

JUSTICE SUMPTER

Talk to her. Are you free tonight? The Renaissance, say, eight-thirty?

Cate stares at Sumpter, trying to read him.

CATE

My grandfather used to take me to the Renaissance for lobster.

JUSTICE SUMPTER

In that case, make it the Huntington.

Sumpter smiles at Cate as he moves toward the door.

JUSTICE SUMPTER

You're a good lawyer. You could be a great one. Don't let a thing like this get in the way.

89

INT. FAMILY COURT - DAY

89

Cate and Fern, and Josh and his LAWYER, sit at opposing tables. At the judge's table, JUSTICE WENDER, 50's, shuffles some papers.

JUSTICE WENDER

Dr. Weiss has submitted a report, which I have reviewed.

Justice Wender finally looks up.

JUSTICE WENDER

It's her opinion that, while the mother loves and cares deeply for her child, she's not able, at present, to fully focus on the child's needs.

Cate blanches. She throws a desperate look to Fern.

JUSTICE WENDER

It seems the father has been a loving, stable force in his daughter's life. We certainly don't want to deny the child access to that stability because the father is compelled to move for employment.

CATE

Your honor--

JUSTICE WENDER

I'm not finished.  
(to Josh)  
You're going to work for Microsoft?

JOSH

Yes.

Cate looks over at Josh, surprised.

JUSTICE WENDER

The custodial parent has a right to change the residence of the child, subject to the power of the court to restrain a removal that would prejudice the rights or welfare of the child. I don't see that the child's rights or welfare would be prejudiced, in this case.

CATE

Your honor, she's five years old! I know I'm not a perfect mother, but I love my daughter more than anything else in this world.

JUSTICE WENDER

Well, it looks like you're going to get the chance to prove it.

Cate stares at the judge, stunned.

90 INT. COURT HOUSE, HALLWAY - DAY

90

Cate follows Josh out of court. Fern touches Cate's sleeve.

FERN

I'll call you.

Cate nods, numb, as Fern rushes off.

CATE

(to Josh's back)

Microsoft? Shit, I should have sued you for alimony.

JOSH

I'm not asking you for anything.

CATE

No, just my daughter.

JOSH

What's the difference, Cate? You're already right back in the saddle, with the high-profile cases, the old firm, the crazy hours--

CATE

I fought my ass off on that case so I could come to court today and prove to you, and this judge, and everybody else that I'm capable of being my daughter's mother again!

JOSH

You fought your ass off because you like to win. But Augie doesn't need a mother who wins. She needs a mother who's *there*.

CATE

Then why are you taking her a thousand miles away?

Other people are staring.

JOSH

Tell you what. Move to Seattle for Augie and I'll share custody.

CATE

I can't move to Seattle, *Josh*. I have a license to practice law in California.

Josh heads toward the elevators.

JOSH

We're leaving in the morning, early. Maybe you could manage to come by and say good-bye.

91

INT. THE LIVING ROOM, RESTAURANT - DAY

91

Cate sits across from Bridges, hurt and angry.

BRIDGES

Just try to focus on the next  
right action--

CATE

Like what? Hurling myself off the  
Sixth Street Bridge?

BRIDGES

You got dealt a bad blow--

CATE

*You think?* I want a fucking  
drink.

BRIDGES

They're just feelings, love. They  
won't kill you.

CATE

You don't know shit about my  
feelings.

BRIDGES

I know you drink so you won't have  
to feel 'em.

CATE

Give me a break. The only reason  
you're still here is you figure  
eventually I'll sink so low I may  
actually fuck you.

Bridges shakes his head. *Not going to dignify that...*

BRIDGES

I've been where you are. It gets  
better--

CATE

Does it? You live in your office  
with a cot and a hotplate. You  
didn't just lose your fuckin *kid*--

BRIDGES

(angry)

No, you're right, I didn't *lose* my  
kid in a fuckin *court*-- You wanna  
play misery contest with me?  
Yeah, let's play! That'll be fun!

(MORE)

BRIDGES (CONT'D)

It's a *shitty* fuckin game, love,  
and I can *guarantee* you,  
goddammit, you won't win! You  
won't even come *close*. Now cut  
this bullshit out.

Cate looks away, shamed. She shakes her head.

CATE

I can't do this anymore...

BRIDGES

You gotta fuckin *turn it over*, and  
move *on*. You wanna end up a  
miserable old bag with a fifth by  
your side and a gun in your mouth?  
It's your decision. One day, one  
hour... one fuckin *minute* at a  
time--

CATE

Jesus Christ, I've heard enough AA  
bullshit for a lifetime, okay?  
All the cute fucking slogans and  
the stupid fucking rules!

Cate slides out of the booth.

CATE

I've been "working it"! It  
doesn't fucking *work*! I'm fucking  
done with all of it!

BRIDGES

Cate, sit down--

CATE

(over him)

The AA whiners, the dirty cops,  
defendants lying out their asses--  
You can all go fuck yourselves!

BRIDGES

Fine. I'll fuck myself. Come  
back and sit down--

CATE

(turns back, yelling)

I put a man in prison for eleven  
years because I followed the  
rules! I just let a murderer *walk*  
because I followed the rules! And  
now I lost my daughter because I  
followed the rules!

(MORE)



CATE (CONT'D)  
FUCK THE RULES! Fuck you and fuck  
the fucking rules!

92 INT. CATE'S RENTAL CAR - NIGHT 92

Cate, miserable, stares out the windshield at a small house on a shabby, working-class street.

93 OMIT. 93

94 INT. THE GEORGE HOUSE - NIGHT 94

Cate perches on a sunken armchair. Elderly MRS. GEORGE washes dishes at the kitchen sink.

OLD MAN GEORGE  
We spent our life savings fighting those awful charges. But if you love someone, you don't have a choice but to hold on to what you believe about 'em. Even when people say terrible things... The worst kind of filthy things.

Mrs. George has come into the doorway, drying her hands.

OLD MAN GEORGE  
You can't go with the evidence.  
You got to go with your heart.

The front door opens and Wilson George, wearing a dirty uniform, steps in.

95 INT. HOPPY'S BAR - NIGHT 95

Wilson lines up three shots in front of him as Cate struggles to say her piece.

CATE  
If everybody tries their best to win... the truth is supposed to come out. I wasn't trying to hurt you. I thought... I truly thought I'd done something good.

Cate tries to hold it together, but she's crying.

CATE  
How do you know what's good?

Wilson downs a shot. He pushes one toward Cate. She stares at the glass, tears coursing down her cheeks.

WILSON

Guy I know got twenty-seven years for something he didn't do. He says, "You can't hang on to the hate."

Cate looks up at Wilson, moved.

WILSON

I thought I wanted to hear you say you're sorry. But this is better.

He looks at Cate with cold, dead eyes.

WILSON

I like watching you cry.

Cate sobs, covering her mouth with her hands.

WILSON

See, the hate is all you left me. Hate is all I got.

96

INT. HUNTINGTON HOTEL, RESTAURANT - NIGHT

96

Cate, looking ragged, approaches a HOSTESS.

CATE

I'm meeting Jamison Sumpter.

HOSTESS

(smiles)

Are you Cate?

Cate nods. The hostess hands her a small, cream-colored envelope. Cate steps away, opens it:

*McCall:*

*Room 2019. Bring your bib.*

*--J.S.*

97

INT./EXT. HUNTINGTON HOTEL, SUITE - NIGHT

97

Sumpter opens the door in his socks, shirt tails out.

JUSTICE SUMPTER

You're late.

Sumpter steps back.

Cate walks in.

A room service table holds a half-eaten lobster and a champagne bucket.

Cate hesitates, then takes off her coat.

Sumpter pulls the bottle from the bucket and picks up a glass.

JUSTICE SUMPTER  
Glass of champagne?

CATE  
I'm an alcoholic.  
(smirks)  
I don't need a glass.

Sumpter smiles, amused. He offers Cate the bottle.

98 INT. CATE'S APARTMENT, LIVING ROOM - DAY 98

Cate sleeps on the floor in her clothes. Her apartment buzzer sounds repeatedly.

Cate rouses, half-way between still drunk and hungover.

She wades through the chaos of her apartment to the window and looks out.

Below, Josh stands by the curb holding Augie, their taxi idling in the street.

CATE  
Shit.

99 EXT. CATE'S APARTMENT - DAY 99

Cate runs toward Josh and Augie.

CATE  
(to Augie)  
I'm sorry, baby. I totally  
overslept.

She tries to take Augie in her arms, but Augie arches and whines, clinging to Josh.

CATE  
Can I give you the tiny little  
mama?

Augie buries her face in Josh's neck. Cate tries to find Augie's eyes.

CATE

I know you're mad at me. But no matter what anybody says, I love you with all my heart and I always will. And I know you love me--

JOSH

Okay--

Josh carries Augie toward the taxi.

CATE

(following)

And even when other people say really bad things about a person, if you love them, you have to hang on to what you believe about them in your heart. You can't always go with the evidence...

Josh buckles Augie into her car seat, walks around to the other side.

CATE

The evidence can be twisted, or misrepresented, until it's all just a pack of fucking lies--

JOSH

(getting in the car)

You need to get help.

CATE

I already got help.

(pause)

This is the new *improved* me.

100 INT. BRIDGES' LAW OFFICE, HALLWAY - DAY 100

Cate sits in the hallway outside Bridges' office, head in her hands. Bridges trudges up the stairs, stops when he sees her. Cate looks up at him, red-eyed.

CATE

I slipped.

Bridges unlocks his office door.

101 INT. BRIDGES LAW OFFICE - DAY 101

Bridges takes off his coat. Cate follows him inside.

BRIDGES

Got a call from the DA's office.  
The assault charges have been  
dropped.

Cate barks out a cynical laugh. Bridges shakes his head,  
disgusted.

CATE

See? I actually *am* the piece of  
shit at the center of the  
universe.

BRIDGES

Well, you're *halfway* right,  
anyway.

Cate looks up at him, sad and miserable. She heads for the  
door.

BRIDGES

So Lacey pulled one over on you.  
So the custody judge thought Josh  
was a better parent. Okay. He  
probably is. What are you gonna  
do about it? Drink yourself to  
death so Augie has no mother at  
all?

CATE

Oh, for Christ's sake, I had a few  
drinks--

BRIDGES

Save it for somebody who doesn't  
smell your bullshit a mile away.  
You're a drunk! And not because  
of what the world did to you, or  
because Wilson George turned out  
to be innocent. Or because Lacey  
turned out to be *guilty*. You're a  
drunk because that's how you  
choose to handle it. And if you  
don't change, guess what? *Nothing  
changes.*

Cate turns her head away.

BRIDGES

You are a great and special  
person. But not for any of the  
reasons you think. Not because  
you're good lookin', or cause  
you're great in the sack. And not  
because you win in court.

Cate looks at Bridges, tears streaming down her face.

CATE

Then what's so great about me?

BRIDGES

If I told you, you wouldn't believe me.

(pause)

You have to figure that out for yourself.

102 INT. CATE'S APARTMENT - DUSK 102

Cate lies fetal on the floor, staring at the stacks of paper that surround her: case files and banker's boxes, every surface covered in debris.

She drags herself to her knees.

Cate scoops an armful of transcripts from the floor and slams them into a box.

She pushes all the files and boxes toward the door. A stack of index cards falls, scattering.

Cate sweeps the cards back into a pile, but an underlined phrase catches her eye:

ACTUAL INNOCENCE

Cate stares at the words.

103 INT. D.A. BRINKERHOFF'S OFFICE - DAY 103

Cate waits outside a locked door, briefcase under her arm.

Two cops, badges dangling from lanyards around their necks, emerge from the office.

Cate grabs the door and pushes inside. The nondescript hallway is lined with file boxes. Cate passes several offices, finds Brinkerhoff's.

INT. D.A. BRINKERHOFF'S OFFICE - CONTINUOUS

Cate strides in and slaps a file on his desk. Brinkerhoff reaches for the phone.

CATE

I need five minutes.

Brinkerhoff regards Cate, puts down the receiver.

CATE

California amended its statutes three years ago to *exclude* actual innocence as grounds for appeal. So we didn't have to argue those grounds at state before taking it to federal.

Brinkerhoff leans back in his chair, eyeing Cate with suspicion.

CATE

But, since Lacey's original trial took place two years *before* that amendment, a case could be made that *technically* she failed to exhaust her state appeals.

BRINKERHOFF

I could have you disbarred.

Cate stares at him, impassive.

CATE

Sure, but then how would you take credit for my idea.

104 INT. DOUGLAS, SCHWARTZ & YUNKIN, CATE'S OFFICE - DAY 104

Cate, in her swanky office, watches CNN video footage of Lacey, head down, as sheriff's deputies take her into custody.

CNN ANCHOR (V.O.)

...California's highest court ruled today that Stubbs failed to exhaust her state appeals before appearing in federal court.

Cate suppresses a smile of satisfaction.

Loncraine walks into Cate's office. Cate mutes her computer.

LONCRAINE

Douglas is moving over to Exxon. I want you with me in D.C. quarterbacking Waterford.

CATE

That's... fucking fantastic.

LONCRAINE

We'll head out tonight.

CATE

Oh... Uh...  
(caught)  
I'm in Seattle with my daughter  
this weekend.

LONCRAINE

Sorry, babe. You're in D.C.

Loncraine heads for the door, then turns back.

LONCRAINE

You play your cards right and  
this'll put you right back on the  
partnership track.  
(smiles)  
Oh and you're done with Stubbs.

105 OMIT. 105

106 OMIT. 106

107 INT. D.C. COUNTRY CLUB DINING ROOM - NIGHT 107

Loncraine and a table full of executives listen to C.E.O.  
JENSEN WATERFORD hold forth.

WATERFORD

You know how much pesticide we're  
talking *per vine*?

Cate hovers by the bar, on her cell.

CATE

(on phone)  
Did you get my message about this  
weekend?

JOSH (O.S.)

(on phone)  
Augie wants to talk to you.

CATE

(on phone)  
I can't really talk right now.

JUSTICE SUMPTER (O.S.)

This thing'll come back around...

Cate's head snaps up to see Sumpter's face on the bar TV.  
Below Sumpter's face is the caption:



*STUBBS' JUDGE VOWS TO LET LACEY GO*

JUSTICE SUMPTER (O.S.)

(on TV)

And when it does, I intend to see  
that this poor, abused woman is  
set free, once and for all.

Loncraine motions for Cate to come over as Waterford hold up  
a silver spoon.

WATERFORD

Less than one teaspoon. That's  
the dangerous level of exposure!

Cate hears Augie on the other end of the line.

CATE

Augie? Mama's working right now--

AUGIE (O.S.)

(over cell)

You said you--

Augie's words are garbled by a bad connection. Cate glances  
back at the TV.

SUMPTER

(on TV)

This is exactly why the habeas  
process exists--

CATE

I'm sorry baby, I didn't hear you.  
Can you say it again?

Cate steps a few feet away, trying to get better reception.

AUGIE (O.S.)

(over cell)

...really, really mad...

The rest of Augie's words are lost in big, aching sobs. Cate  
listens to Augie crying.

CATE

Sweet-pie, I'll figure out a way  
to come see you really soon, okay?

Augie cries harder. Cate's phone vibrates, signaling a  
waiting text message.

The BARTENDER leans in toward Cate.

BARTENDER

Can I get you something?

CATE

(turns away from him, on cell)

Baby... Daddy's there with you, right?

Augie's crying has ramped up to heaving hysterics.

Cate checks the message. It's from Loncraigne:

*What the fuck????!!!*

CATE

Baby, can you put daddy on?

108

EXT. HAWTHORNE POLICE STATION - NIGHT

108

Cate approaches Welch as he walks toward his car.

CATE

Can I talk to you?

WELCH

Go fuck yourself.

Welch ignores her, keeps walking. Cate stays with him.

CATE

I know she lied about the rape. I didn't know it at the time, but I know it now.

Welch looks over at Cate.

CATE

I need your help to prove it.

WELCH

You know what your problem is? You don't know the good guys from the bad guys.

CATE

Used to be easier to tell the difference.

WELCH

You're not better than me.

CATE

I don't think I'm better than you. I think I'm just *like* you.

(MORE)

CATE (CONT'D)

I want to get the bad guys, too.  
And at the moment, I don't care  
how I do it.

109 INT. CWCF VISITATION PHONES - DAY 109

Cate's on the phone with Lacey, who glares at her.

LACEY

Why would I still want you? You  
fucked it all up for me.

CATE

This isn't about you--

LACEY

Maybe you didn't notice. I'm back  
in fuckin *jail!*

CATE

They've found a technicality.  
They're exploiting it.

Lacey scrutinizes Cate.

CATE

As soon as the state denies our  
appeal, we can go right back to  
federal court. Sumpter's all over  
the news saying that he'll set you  
free again.

LACEY

Why would you want to represent  
someone you think is guilty?

Cate just stares at Lacey.

CATE

I don't make mistakes.

Lacey starts to laugh, haughty.

LACEY

Oh, I see. This *isn't* about me.

110 INT. CHURCH MEETING ROOM - NIGHT 110

Cate addresses a crowded AA meeting.

CATE

I've never actually shared  
before...

(pause)

Uh...

(MORE)

CATE (CONT'D)

One of my sponsor's favorite sayings is: "You can't change the wind, but you can adjust the sails."

Cate looks across the room to Bridges. He gives Cate a nod of acknowledgement.

CATE

The water's been pretty rough here recently.

Cate tries to contain her emotion.

CATE

Some days it's all I can do to just hang on, and try to hold my head up high enough so I can see the damn sails without getting my head knocked off.

Bridges watches her with concern.

CATE

But I'm here. Again. Still.

Cate surveys the room.

CATE

Gratitude's *hard*... Um... I just want to say...  
(looks at Bridges)  
*Thanks.* I wouldn't be here without you.

111 EXT. CHURCH - NIGHT

111

Bridges stands outside smoking. Cate approaches.

BRIDGES

Welcome back.

Cate smiles, nods.

CATE

Two weeks today.

BRIDGES

How do you feel?

CATE

(fake smile)  
"Fake it 'til you make it."

Bridges offers a cigarette. Cate takes it, lights up.

BRIDGES

If it hurts, it means you're doing it right.

(pause)

Been giving some thought to doing some pro bono myself. Some of the things you said--

CATE

I was an asshole. I'm sorry--

BRIDGES

No. It's good. We can all use a good kick in the pants from time to time.

CATE

As a matter of fact... I need to find somebody to baby-sit the Stubbs appeal while I'm in D.C...

(pause)

But trying to get just anybody up to speed in only a few weeks...

Bridges regards Cate.

CATE

Plus, I can't miss Augie's birthday. I promised I'd go to Seattle.

Bridges smiles.

CATE

Gonna make me beg?

BRIDGES

I haven't heard a question.

CATE

(with difficulty)

Will you help me?

111A INT. D.C. LAW OFFICE CONFERENCE ROOM - DAY

111A

Cate sits with Loncraine and three other lawyers as she deposes field worker JUAN GONZALES, 27, via an INTERPRETER.

CATE

Mr. Gonzales, after your doctor told you that you were sterile, did you get a second opinion?

Gonzales listens to the translation. He answers in Spanish, staring at Cate with anguished eyes.

INTERPRETER

That doctor said that he sees it in workers from that field all the time--

CATE

(cutting him off)

Did you get a second opinion? Yes or no?

Loncraine smiles at Cate.

112 INT. SOUTHWAYS AIRLINES, GATE - DAY

112

Crowded waiting area. Disgruntled travellers. Cate is working, flanked by her legal team.

FLIGHT ATTENDANT

Ladies and gentlemen, we apologize for the delay. We're still waiting for the maintenance crew to finish inspecting the aircraft...

Groans from the passengers. Cate dials her phone.

LAWYER

After we trot out our guy from CHEMLAB assailing their methods--

CATE

Then we put on Henkle who will say DBCP levels were well below damage-causing levels, and workers refused to wear protective gear.

(on cell)

Hey. I'm gonna miss my connection to Seattle. Can you see if there's a later flight?

As Cate hangs on the line, Loncraine steps up beside her. He passes her a black folder.

LONCRAINE

All you ever wanted to know about  
Arturo Juan Gonzales.

Cate opens the file. She skims a rap sheet, then glances at  
the accompanying mug shot. She frowns.

CATE

But this isn't the same guy.

Loncraine rips out the mug shot and crumples it.

LONCRAINE

Isn't it?

113 OMIT. 113

114 INT. JOSH'S SEATTLE TOWNHOUSE - NIGHT 114

The remnants of a celebration. Balloons and a banner  
reading: *Happy Birthday, Augie!*

Cate looks on as Augie, in pajamas, digs into an airport  
shopping bag and pulls out a pink flowered cell phone.

JOSH

A cell phone?

CATE

(to Augie)

I entered in my cell number, so  
any time you need to talk to me,  
just push this...

Cate pushes a button, then hands the flowered phone to Augie.

A second later, Cate's Blackberry plays: "Row, row, row your  
boat..."

CATE

(grinning)

That way I'll always know it's  
you.

(answering cell)

Hello?

Augie looks down her new phone. Then sets it down.

Cate ends the call, disappointed.

JOSH

Okay, Bug, let's go back to bed.

CATE  
(to Josh)  
Can we have a minute?

Josh gives Cate an impatient look, then steps out.

Cate squats near Augie who has picked up her stuffed dog.

CATE  
I'm sorry I missed your party. I  
really wanted to be here.

Augie tucks her stuffed dog into a sock.

CATE  
I know I let you down and I'm  
really, really sorry--

AUGIE  
Blue Dog doesn't feel good.

Cate brushes the hair from Augie's eyes.

CATE  
Is he sick?

AUGIE  
He ate too many cupcakes.

CATE  
(concerned)  
I'm not going to make you any more  
promises... I'm just going to do  
*better.* Okay?

Augie nods, staring at the floor.

Cate reaches out to hug her, but Augie thrusts a clenched fist toward Cate, lower lip trembling.

As Cate tries to see into her eyes, Augie opens her fist to reveal an empty palm.

AUGIE  
I don't want the tiny mama  
anymore.

Cate pulls Augie into her arms, tears in her eyes.

115 INT. D.C. COURTHOUSE, CORRIDOR - DAY

115

Loncraine and Waterford confer unhappily, as Cate watches Gonzales and his lawyers file back into court.

Loncraine approaches Cate and hands her the black folder containing the false rap sheet.



Cate looks from the folder to Loncraine.

LONCRAINE

Make this thing go away and you'll  
be a full partner before the end  
of the year. You have my word.

Cate looks at Loncraine. She takes the folder.

Loncraine claps Cate and Waterford on the back.

LONCRAINE

Let's win this, shall we?

They walk toward the courtroom. Cate's cell suddenly plays  
"Row, row, row your boat..."

WATERFORD

Cute.

Loncraine holds the door for Cate.

Cate hesitates for a split second, then presses *IGNORE* as she  
walks into court.

116 INT. D.C. COURTROOM - DAY 116

Cate holds out a copy of a newspaper to Gonzales, on the  
stand.

CATE

Mr. Gonzales, can you read?

A FEMALE INTERPRETER repeats Cate's words in Spanish.  
Gonzales answers in Spanish.

INTERPRETER

A little.

CATE

Can you read the first paragraph  
of this article?

Gonzales takes the paper and reads haltingly.

INTERPRETER

Arturo Juan Gonzales, convicted of  
a brutal murder in Chiapas, Mexico  
in 2003--

Alarmed, Gonzales speaks to the interpreter in rapid Spanish.

INTERPRETER

It isn't me!

CATE

Didn't you just tell us your name  
was Arturo Juan Gonzales?

A flood of panicked Spanish from Gonzales.

INTERPRETER

I never murdered anyone. You are  
telling terrible lies--

Cate holds up a piece of paper.

CATE

I'm looking at your rap sheet, Mr.  
Gonzales, and it lists murder,  
kidnapping, assault--

Cate's phone plays: *"Row, row, row your boat..."*

CATE

(embarrassed)

Sorry...

Cate quickly moves to the defense table, fumbling in her  
purse for her cell phone.

*"Merrily, merrily, merrily, merrily, life is but a dream."*

Cate finally finds her phone.

She stands holding it as the song continues: *"...row, row  
your boat--"*

LONCRAINE

*Cate.*

Cate looks at Loncraine and Waterford.

She looks at the judge.

Cate looks at Gonzales on the stand.

CATE

(to Gonzales)

I know you didn't kill anyone.

Cate turns to the jury.

CATE

We're just trying to make him look  
bad so you won't give him what he  
deserves.

Loncraine stands, face red.

LONCRAINE

Your honor, we need a recess--

Cate turns to Waterford.

CATE

Just give him what he deserves.

Cate walks out of the courtroom.

117 INT. CATE'S SEATTLE APARTMENT - DAY 117

Cate follows Augie as she wanders down the main hallway of an empty apartment. The walls are white, the closets bare, the windows without curtains.

In one room, Cate's suitcase is open on the floor beside a ruffled bed.

Augie wanders down the hall to the last bedroom.

She steps into the doorway and stops.

Cate comes up behind her.

There's a painted rainbow on the wall. It's fully furnished with a small bed, a dresser, books, and toys.

AUGIE

Is this *my* room?

Cate nods.

AUGIE

I have a rainbow room. In daddy's house.

CATE

Now you have one in my house, too.

AUGIE

A fish!

Augie makes a bee-line for a large bowl in which a goldfish swims. She starts to talk to it.

Cate smiles as she looks on from the doorway.

118 EXT. COURTHOUSE PLAZA, COFFEE KIOSK - DAY 118

Cate sits down in an empty chair opposite Sumpter, busy reading his newspaper.

CATE

Nice piece in the Times.

Sumpter looks up, surprised.

CATE  
You sure it's justice you want and  
not a seat on the appellate court?

JUSTICE SUMPTER  
What are you worried about, Cate?  
That your client will go free?

CATE  
You can't sit on this case.

Cate takes a piece of paper from her briefcase and lays it in front of Sumpter.

It's Sumpter's note to Cate, on Huntington stationery:

*McCall:*

*Room 2019. Bring your bib.*

*--J.S.*

Sumpter looks from the note up to Cate, taking her measure.

CATE  
You need to recuse yourself.

119 INT. JUSTICE KIRSH'S COURT - DAY

119

Cate confers with Lacey at the defense table.

Brinkerhoff, at the prosecution table, looks over at Cate. She avoids eye contact.

JUSTICE KIRSH, 60's, female, takes the bench.

JUSTICE KIRSH  
Before us today, after a lengthy  
journey up and down the state and  
federal justice systems...

LACEY  
(alarmed, to Cate)  
Who's she?

JUSTICE KIRSH (O.S.)  
...Is the habeas petition of Lacey  
Stubbs.

CATE  
Looks like Justice Kirsh.

JUSTICE KIRSH

I'd like to give both parties an opportunity to request additional testimony on topics that the Court had not sufficiently addressed...

LACEY

(to Cate)

Where the fuck is Sumpter?

120 INT. JUSTICE KLEIN'S COURT - LATER

120

Brinkerhoff rises and walks toward Welch on the stand.

BRINKERHOFF

Did you ever have sex with Lacey Stubbs?

WELCH

No.

BRINKERHOFF

Did you rape Lacey Stubbs?

WELCH

Absolutely not.

BRINKERHOFF

Can you imagine why Lacey Stubbs might come to court and say such a thing?

CATE

Objection.

JUSTICE KIRSH

Sustained.

BRINKERHOFF

To your knowledge, did Lacey Stubbs bear any kind of grudge against you?

WELCH

I arrested her for murder. She didn't like that too much.

BRINKERHOFF

(smiling)

No, I guess she wouldn't.

Brinkerhoff checks his notes.

BRINKERHOFF

Do you know where you were  
November 29th, 2002?

WELCH

In Chicago with my wife and son.  
We drove up on the 28th. We  
didn't come back until December  
1st.

BRINKERHOFF

When you were first questioned by  
Ms. McCall, how come you didn't  
mention being in Chicago?

WELCH

I didn't remember.  
(a look to Cate)  
Luckily, my wife keeps a family  
calendar.

Pause.

BRINKERHOFF

Did Lacey Stubbs ever have the  
opportunity to see your gun?

WELCH

Yeah, when I questioned her.

121 INT. JUSTICE KIRSH'S COURT - LATER

121

Cate questions Welch.

CATE

Are you saying that you drew your  
gun on Ms. Stubbs when you  
questioned her?

WELCH

No, I placed it on the table.

CATE

To-- what?  
(gesturing toward Lacey)  
Extract a false confession by  
making her terrified that you  
might shoot her?

WELCH

She wasn't terrified.

CATE

How would you know?

WELCH

Because she told me I could take the gun and shove it up my ass. Then she said if I'd let her go, she'd bend over and let me shove it up *her* ass.

Cate appears to blush. She walks back to her table, then suddenly turns.

CATE

So now you claim that you were in Chicago on November 29th, 2002...  
(scoffs)  
Are we just supposed to just take your word for it?

WELCH

You can. Or you can look at my credit card receipts.

Cate meets Welch's eyes for a moment before she looks away.

122

INT. JUSTICE KLEIN'S COURT - LATER

122

Cate watches Brinkerhoff question Lacey on the stand.

BRINKERHOFF

So is it still your testimony that Detective Welch raped you?

Lacey looks from Cate to the Justice Klein.

LACEY

She said I wouldn't have to go back over this again.

JUSTICE KIRSH

Answer the question.

Lacey throws a look to Cate.

LACEY

(upset, to Brinkerhoff)  
Yes. He raped me.

BRINKERHOFF

I'm reading from the record now: "Welch got off me and said if I opened my mouth, they'd come back and do the same thing to my kid." Is that also still your testimony?

LACEY

Yes.

BRINKERHOFF

But on November 29th, 2002 you didn't have a child, did you?

Lacey shoots a suspicious look to Cate.

LACEY

He said--

BRINKERHOFF

It's a simple yes or no question.

LACEY

Maybe he was going to rape the one inside me. I don't know what he was thinking.

BRINKERHOFF

Your honor, I'd like to mark this state's twelve.

Brinkerhoff holds up Lacey's dog-eared copy of *Lust Girls*.

BRINKERHOFF

Do you recognize this book, Ms. Stubbs?

Lacey and Cate lock eyes.

LACEY

Not really.

BRINKERHOFF

Would you mind reading the underlined section beginning with "I could feel the gun against my throat"?

Brinkerhoff holds out the book to Lacey.

Lacey, trapped, looks toward Cate.

Cate meets Lacey's eyes.

LACEY

(enraged)

I want a new fucking lawyer!

Lacey smacks the witness stand. The microphone goes flying.

LACEY

She's trying to fuck me!

JUSTICE KIRSH

Ms. Stubbs!



Lacey slams out of the witness stand, heading toward Cate. The moves in to restrain her.

LACEY  
(pointing at Brinkerhoff)  
You ask that cocksucker how he got  
my book in the first place!

The bailiff tries to contain Lacey as she thrashes.

Brinkerhoff and the judge back away.

Spectators gawk.

Cate stands.

LACEY  
(screaming at Cate)  
You fucking bitch, I'll fuck you  
up so bad your whole motherfuckin'  
family's gonna feel it! Do you  
hear me? *You cocksucking cunt!*

Lacey is hauled out of court by the bailiff. Cate watches her go.

123

EXT. COURTHOUSE - SUNSET

123

Cate walks through the rotunda and out onto the courthouse steps, her head held high.

\*

124 EXT. AIRPORT - DAY 124 \*

Bridges stands with Cate as she waits at the ticket counter. \*

BRIDGES \*  
Call me when you land safe. \*

CATE \*  
Yup. \*

The clerk hands Cate her boarding pass. \*

CATE (CONT'D) \*  
(to clerk) \*  
Thanks. \*

Cate turns to face Bridges, full of emotion. \*

They hug. \*

CATE (CONT'D) \*  
Thank you. For everything. \*

They separate. He finds her eyes. \*

BRIDGES \*  
You start over every single day. \*

CATE \*  
(smiles) \*  
One fucking day at a time. \*

She kisses his cheek and starts to walk away. \*

BRIDGES \*  
You figure it out yet? The great \*  
and special? \*

She turns back. \*

CATE \*  
Still working on it. \*  
(pause) \*  
Maybe that's it. I never give up. \*

BRIDGES \*  
Well that's not nothing. \*

Cate heads for security. \*

125 EXT. SEATTLE PLAYGROUND - DAY 125 \*

Cate approaches the playground. \*

She watches as Augie runs around a play structure with several other CHILDREN. Josh sits on a bench nearby. \*

Cate gives Josh an acknowledging wave. He nods. \*

Augie spots Cate and runs toward her. \*

AUGIE \*

Mama! \*

Cate picks Augie up, smiling. Augie's wearing Cate's lucky necklace. \*

AUGIE \*

Did you win? \*

CATE \*

No, baby. I lost. \*

(small smile) \*

I *lost*. \*

Cate and Augie start to play. \*

Josh watches a moment, sets Augie's bag down on the bench, and heads home. \*

Cate and Augie play and play. \*

FADE OUT.

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